



## **Town of Arlington Board of Selectmen**

### **Meeting Agenda**

April 24, 2017

7:00 PM

Selectmen's Chambers, Town Hall, 2nd Floor

1. Approval of Sale of \$1,100,000 Water Bond to the Massachusetts Water Resource Authority  
Dean Carman, Treasurer & Collector of Taxes

#### **PROCLAMATIONS**

2. Proclamation: Day of Awareness and Action to End Sexual Violence

#### **FOR APPROVAL**

3. Farmers' Market 2017  
Patsy Kraemer, Market Manager

#### **CONSENT AGENDA**

4. Minutes of Meetings: April 3, 2017
5. Request: Annual Hardy School PTO Walkathon, Wednesday, April 26, 2:30 p.m. - 4:00 p.m.  
Patsy O'Brien, Hardy School PTO
6. Request: Special (One Day) All Alcohol License, 5/6/17 @ Whittemore Robbins House for a Private Event  
Michele Noska, Beaujolais Catering
7. Request: Special (One Day) All Alcohol License, 5/20/17 @ Fidelity House, 25 Medford Street for the Annual Fundraiser  
Frank Tessitore, President, Friends of Fidelity House
8. For Approval: Sidewalk Cafe Permit Renewals  
Barismo, 171 Massachusetts Avenue, Hong Xue  
Gail Ann, 10 Medford Street, Kiriakes Karageorgiou  
Ristorante Olivio, 201 Massachusetts Avenue, Angelo DiGirolamo
9. For Approval: KENO To Go Monitor  
A & A Market, 1042 Massachusetts Avenue
10. Appointment of New Election Worker: (1) Susanne Olson, 63 Overlook Road, D, Pct. 20

## **LICENSES & PERMITS**

11. Request: Common Victualler License, Wine & Malt License and Sidewalk Cafe Permit  
Shockwave LLC d/b/a Twyrl, 315 Broadway  
Christopher Furlong and Anka Bric, LLC Members  
Attorney John D. Leone

## **TRAFFIC RULES & ORDERS / OTHER BUSINESS**

12. Request: 2nd Space, Handicap Parking Sign @ 107 Varnum Street  
Vincent Bozzi Jr.
13. Request for Approval: Public Art Display on Minuteman Bikeway  
Cecily Miller & Adria Arch

## **WARRANT ARTICLE HEARINGS**

Article for Review:

**Article 16** Bylaw Amendment/Addition of Certain Delinquent Municipal Fees/Fines to be a Lien on Real Estate Tax Account

## **CORRESPONDENCE RECEIVED**

Request Two (2) Hour Parking Limit On Broadway from Rte. 16 to Silk Street  
Veronica White, 32 Silk Street

Request 'No Left Turn' Sign  
Dr. Timur Kaya Yontar, Town Meeting Member, Precinct 7, 58 Bates Road

Next Scheduled Meeting of BoS May 8, 2017

**During Town Meeting which begins April 24, 2017 the Board of Selectmen will be in session from 8:00 p.m. until 11:00 p.m.**



## **Town of Arlington, Massachusetts**

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### **Approval of Sale of \$1,100,000 Water Bond to the Massachusetts Water Resource Authority**

#### **Summary:**

Dean Carman, Treasurer & Collector of Taxes

#### **ATTACHMENTS:**

Type	File Name	Description
<input checked="" type="checkbox"/> Reference Material	Water_Bond_Approval.pdf	Reference

\$1,100,000	\$1,100,000
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THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF ARLINGTON  
WATER BOND

The Town of Arlington (hereinafter called the "Municipality") in the County of Middlesex and in The Commonwealth of Massachusetts promises to pay to the Massachusetts Water Resources Authority (hereinafter called the "Authority"), or registered assigns, the sum of One Million One Hundred Dollars (\$1,100,000) in installments on May 15 of each year as set forth below, without interest:

<u>Year</u>	<u>Installment</u>	<u>Year</u>	<u>Installment</u>
2018	\$110,000	2023	\$110,000
2019	110,000	2024	110,000
2020	110,000	2025	110,000
2021	110,000	2026	110,000
2022	110,000	2027	110,000

Principal payments on this bond are payable at the offices of the Authority at 100 First Avenue, Charlestown Navy Yard, Boston, Massachusetts 02129. Upon final payment of the principal of this bond the Authority shall cancel this bond and return it to the Municipality.

This bond is the only instrument representing a borrowing of \$1,100,000 issued by the Municipality pursuant to Chapter 44 of the General Laws as amended and a vote of the Municipality duly passed on the sixteenth day of May, 2016. This bond is issued for the purpose of defraying the cost of improvements to the Municipality's water system as described in said vote.

This bond is a general obligation of the Municipality and the full faith and credit of the Municipality is pledged for the payment of principal on this bond as the same shall become due and payable.

This bond is transferable only upon presentation to the Treasurer of the Municipality with a written assignment duly acknowledged or proved. No transfer hereof shall be effectual unless made on the books of the Municipality kept by the Treasurer as transfer agent and noted thereon by the Treasurer with a record of payments.

In Witness Whereof the Municipality has caused this bond to be signed by its Treasurer and countersigned by its Selectmen and the seal of the Municipality to be affixed hereto as of the fifteenth day of May, 2017.

Countersigned:

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Treasurer

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Selectmen

(Town Seal)

AM 65969852.1

(Please Note: The following statements are an essential part of the permanent bond record. Read them carefully before signing this certificate. Advise Locke Lord LLP of any inaccuracy.)

**Town of Arlington, Massachusetts**

**\$1,100,000 Water Bond**

**CERTIFICATE**

We, the Selectmen and the Treasurer of the Town of Arlington, Massachusetts, certify that we have signed the \$1,100,000 Water Bond (the “Bond”) of the Town dated May 15, 2017, and payable, without interest, in installments on May 15 of each year as set forth below:

<u>Year</u>	<u>Installment</u>	<u>Year</u>	<u>Installment</u>
2018	\$110,000	2023	\$110,000
2019	110,000	2024	110,000
2020	110,000	2025	110,000
2021	110,000	2026	110,000
2022	110,000	2027	110,000

The Bond bears the Town seal, which is also affixed to this certificate.

We further certify that the Loan Agreement with the Massachusetts Water Resources Authority (the “Authority”) dated May 15, 2017 providing for the sale of the Bond has been signed by the Treasurer and that the Financial Assistance Agreement dated May 15, 2017 relating to the Project financed by the Bond has been signed by the Town Manager and we hereby confirm those Agreements. The Loan Agreement and the Financial Assistance Agreement are sometimes referred to collectively in this certificate as the “Agreements.” Capitalized terms used in this certificate and not otherwise defined shall have the same meanings given those terms in the Agreements.

We, the Selectmen and the Treasurer, also certify as follows:

1. Authority. The Bond is issued pursuant to G.L. c.44 §8 and a vote of the Town passed May 16, 2016 (Article 42), which authorized a total borrowing of \$1,100,000.

The issuance of the Bond and the execution of the Agreements were further authorized by a vote of the Board of Selectmen passed at a duly called meeting of the Board held April 24, 2017 (the “Selectmen’s Vote”).

2. Other Debt. No other debt has been incurred under that vote.

3. Use of Project and Loan Proceeds.

(a) No Reimbursement. None of the proceeds of the Loan and the Bond are being used by the Town to reimburse the Town for expenditures previously made from funds other than proceeds of a borrowing.

(b) Prior Notes or Bonds. No proceeds of the Loan or the Bond will be used to pay or retire any notes, bonds or other evidence of indebtedness previously issued by the Town.

(c) No Sale of Project. The Town does not expect to sell any Project prior to repayment of the Loan and the Bond.

(d) Use in Trade or Business. Not more than 5% of the gross proceeds of the Loan or the Bond are to be used (directly or indirectly) in any trade or business carried on by any person other than a state or local governmental unit. (Use in a trade or business includes all activities carried on by the federal government (including its agencies and instrumentalities), by so-called Section 501(c)(3) organizations and by all other nongovernmental entities other than natural persons, not engaged in a trade or business but does not include use as a member of or on the same basis as the general public.) The Town does not have or plan to have any contract or other arrangement not applicable to the general public under which a party, other than the Commonwealth or a local governmental unit, agrees to take (or pay for) water from a particular source financed by the Loan or Bond or is to have the use of the Project or is to make payments based on costs of the Project rather than system costs.

(e) Private Loans. None of the gross proceeds of the Loan or the Bond are to be used by the Town directly or indirectly to make or finance loans to others. (The foregoing representation does not preclude the financing of a Project whose costs are to be paid by betterment assessments over a period of years.)

I, the Treasurer, hereby certify as follows:

4. Debt Limit. At the time of its authorization, the Bond was, and on the date hereof is, within every applicable debt and other limit prescribed by law or otherwise.

5. Delivery and Receipt. The Bond was delivered on this date and the full purchase price of \$1,100,000 is expected to be received from the Authority on May 18, 2017.

We, the Selectmen, the Treasurer, the Town Manager, and the Town Clerk, hereby certify as follows:

(a) Authorization, Execution and Delivery of Documents. The Loan Agreement, the Financial Assistance Agreement and the Bond have been duly authorized, executed and delivered. None of those instruments has been amended or supplemented since its date (except such amendments or supplements which have been approved by the Authority) or repealed and each such instrument remains in full force and effect as of this date.

(b) Signatures and Incumbency. The signatures of the Treasurer, the Town Manager, the Town Clerk and the Selectmen as appearing below are the genuine signatures of the persons who held those offices when the Agreements and the Bond were signed and when they were delivered.

(c) Open Meeting Law. Other than the town meeting called pursuant to G.L. c.39, §10 at which the Bond was authorized, all proceedings essential to the issue of the Bond and the authorization, execution and delivery of the Agreements and deliberations of a quorum relating thereto have been taken at a meeting or meetings open to the public; notice of each such meeting was filed in the office of the Town Clerk and publicly posted in the time and manner set forth in the General Laws, as amended, in effect at the time of each such meeting (Chapter 39, §23B for proceedings occurring prior to July 1, 2010 and Chapter 30A, §§18-25 for proceedings occurring on or after July 1, 2010) or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b); no deliberations, decision or vote in connection with the Bond or the Agreements were taken in executive session and no vote was taken by secret ballot; and the official record of each such meeting was made available to the public and remains available to the public as set forth in G.L. c.39, §23B or c.30A, §§18-25, as applicable.

(d) Bylaws. The bylaws described below are the only bylaws or standing votes of the Town affecting the authorization, sale or issue of the Bond, including the calling and conduct of town meetings, or the authorization, execution or delivery of the Agreements, and there has been no change therein affecting those matters in any way except as may be indicated below:

By-Laws of the Town of Arlington, Massachusetts as amended to April, 2012 and certified to Locke Lord LLP on May 4, 2016.

(e) Proceedings. No proceeding essential to the authorization, execution, delivery or issue of the Agreements and the Bond has been repealed or amended except as stated in paragraph (1) above, and no proceedings have been taken relating to the Agreements and the Bond other than those certified to Locke Lord LLP.

(f) Home Rule. The Town has not adopted a home rule charter and the Town has not amended or repealed any special law relating to the Town through the use of home rule procedures.

(g) Selectmen's Vote. Attached hereto is a true copy of the Selectmen's Vote, which has not been amended or repealed and remains in full force and effect on this date.

(h) No Referendum. No petition for a referendum has been filed with respect to any of the proceedings essential to the authorization, sale or issue of the Bond or the authorization, execution or delivery of the Agreements.

(i) Development Districts. The Town has not established any development districts pursuant to G.L. c.40Q.

(j) **No Litigation; No Financial Interest.** There has been no litigation affecting the authorization, execution, delivery or issue of the Agreements or the validity of the Bond or the power of the Town to levy and collect taxes to pay the Bond; none is pending or to our knowledge threatened; neither the corporate existence nor boundaries of the Town nor the title of any of us to our respective offices is being contested; and none of us and, to the best of our knowledge, no other official of the Town has any direct or indirect financial interest in or relationship with the Authority.

Dated: \_\_\_\_\_

(date of delivery of and  
payment for the Bond - to  
be left blank until delivery)

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Treasurer

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Town Manager

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Selectmen

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Town Clerk

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(Town Seal)

AM 65969647.1

## VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Arlington, Massachusetts, certify that at a meeting of the board held April 24, 2017, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the sale of the \$1,100,000 Water Bond of the Town dated May 15, 2017, to Massachusetts Water Resources Authority (the "Authority") is hereby approved and the Town Treasurer or other appropriate Town official is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the bond. The bond shall be payable without interest on May 15 of the years and in the principal amounts as follows:

<u>Year</u>	<u>Installment</u>	<u>Year</u>	<u>Installment</u>
2018	\$110,000	2023	\$110,000
2019	110,000	2024	110,000
2020	110,000	2025	110,000
2021	110,000	2026	110,000
2022	110,000	2027	110,000

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing vote.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the bond were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: April 24, 2017

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Clerk of the Board of Selectmen



## Town of Arlington, Massachusetts

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### Proclamation: Day of Awareness and Action to End Sexual Violence

#### Summary:

#### ATTACHMENTS:

Type	File Name	Description
<input checked="" type="checkbox"/> Reference Material	Boston_Area_Rape_Crisis_Center_2017.doc	Proclamation

# OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO JR., CHAIR  
STEVEN M. BYRNE, VICE CHAIR  
KEVIN F. GREELEY  
DIANE M. MAHON  
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

## PROCLAMATION

**WHEREAS:** According to the Centers for Disease Control and Prevention's National Intimate Partner and Sexual Violence Survey, nearly one in five women (18.3%) and one in 71 men (1.4%) in the United States have been raped at some time in their lives. And according to the U.S. Transgender Survey, almost one in two transgender people (47%) surveyed have been sexually assaulted at some point in their lifetime; and

**WHEREAS:** According to the National Sexual Violence Resource Center, one in four girls and one in six boys will be sexually abused before they turn 18 years old; and

**WHEREAS:** The National Crime Victimization Survey and the 2010 Massachusetts Behavior Risk Factor Surveillance System found that people with a disability of any kind have an age-adjusted rate of rape or sexual assault that is more than twice the rate for people without disabilities; and

**WHEREAS:** One in five women and one in 16 men are sexually assaulted while in college, reports the National Sexual Violence Resource Center; and

**WHEREAS:** Sexual violence occurs in many forms, including sexual harassment, child sexual abuse, sexual assault, trafficking, and more; and

**WHEREAS:** Sexual violence touches the lives of the more than 42,000 Arlington residents in some way; and

**WHEREAS:** Now more than ever, survivors of sexual violence need to hear that we've got their back. That we believe them. That we support their journeys to heal and find justice. That we know that policies affecting immigration, health care, and more also affect survivors. And that we will do all we can to advocate with and for them; and

**WHEREAS:** The Boston Area Rape Crisis Center (BARCC), the rape crisis center serving Arlington and the largest rape crisis center in New England, serves 14,000 sexual violence survivors over the age of 12, their families, friends, and community members each year. And empowers survivors of sexual violence to heal while also providing education and advocacy for the social change needed to prevent sexual violence; and

**WHEREAS:** On April 23, 2017, thousands gathered for the annual BARCC Walk for Change to show up for survivors, to support survivors, to take action, and to add their voices to the movement to end sexual violence.

**NOW, THEREFORE, BE IT RESOLVED**, that we, the Members of the Board of Selectmen do hereby declare this 24th day of April, 2017 to be the “Day of Awareness and Action to End Sexual Violence.”

\_\_\_\_\_  
**SELECTMEN**  
\_\_\_\_\_  
**OF THE**  
\_\_\_\_\_  
**TOWN**  
\_\_\_\_\_  
**OF**  
\_\_\_\_\_  
**ARLINGTON**

A true record.

ATTEST:

By: \_\_\_\_\_  
Board Administrator



## **Town of Arlington, Massachusetts**

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### **Farmers' Market 2017**

#### **Summary:**

Patsy Kraemer, Market Manager

#### **ATTACHMENTS:**

Type	File Name	Description
<input checked="" type="checkbox"/> Reference Material	Farmers_Market_2017.doc	Reference



# Arlington Farmers' Market

1 April 2017

## MEMORANDUM TO THE BOARD OF SELECTMEN

### 2017 FARMERS' MARKET

The Arlington Farmers' Market respectfully requests permission to hold the Arlington twentieth Farmers' Market at the Russell Common Parking Lot, Arlington Center, for the 2017 season. The market is held on Wednesday's 2:00 pm to 6:30 pm.. The Market will begin on Wednesday, June 14, 2017, and close on Wednesday, October 28, 2017.

The Arlington Farmers' Market is managed by Patsy Kraemer, assisted and advised by a steering committee, which includes:

Patsy Kraemer, Market Manager  
Oakes Plimpton, retired Market Manager  
Mandy Williamson, prepared foods vendor  
Alan Nicewisch, farmer  
Betsy Block, consumer  
Leon Cantor, Seconds Market  
Vicki Rose, Seconds Market  
Robin Cohen, Webmaster

The Farmers Market will continue to work with representatives from Menotomy Manor to provide residents with the seconds market and also with Food for Free for delivery to safe houses, shelters, and elder residences. Historically the farmers have been very generous in donating surplus produce for this market.

The market will continue to have liability insurance that is provided from the Massachusetts Farmers' Market Association.

We will have 24 vendors at the market this year, including two wine vendors, eleven farms, one fishmonger, a smoked fish vendor, two bakeries, four prepared food suppliers, and one knife sharpener.

We welcome Bon Me Food Truck and Bistro Duet to the market this year!

**We had a very good experience last summer with the new parking meters. There was almost no glitches with customers using the pay machines and minimal grumbling about missing the parking pass system.**

**We hope you will approve the continuation of this program at the Russell Common Parking Lot.**

**Patsy Kraemer  
Market Manager  
85 Columbia Road, Arlington, Ma. 02474  
h: 781-646-4645 c: 781-858-8629  
[patsy@patsykraemer.com](mailto:patsy@patsykraemer.com)**



## **Town of Arlington, Massachusetts**

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**Minutes of Meetings: April 3, 2017**

**ATTACHMENTS:**

Type	File Name	Description
❑ Reference Material	4.3.17_draft_minutes.docx	Draft Minutes 4.3.17

TOWN OF ARLINGTON  
BOARD OF SELECTMEN  
Meeting Minutes  
Monday, April 3, 2017  
7:15 PM

Present: Mrs. Mahon, Chair, Mr. Dunn, Vice Chair, Mr. Greeley, Mr. Byrne, and Mr. Curro  
Also Present: Mr. Sandy Pooler, Mr. Heim and Mrs. Krepelka

1.     Organizational Meeting for the Purpose of Electing a Chairman and a Vice Chairman  
       Marie A. Krepelka, Board Administrator

The first order of business tonight was to have an organizational meeting for the purpose of electing a Chairman and Vice Chairman. Mrs. Krepelka asked for nominations from the Board. Mr. Greeley nominated Mr. Curro seconded by Mr. Byrne. A roll call vote was taken and Mr. Curro was elected Chairman.

SO VOTED (4-0-1)

Mrs. Krepelka asked for nominations from the Board for Vice Chairman. Mrs. Mahon nominated Mr. Byrne seconded by Mr. Curro. A roll call vote was taken and Mr. Byrne was elected Vice Chairman. A roll call vote was taken and Mr. Byrne was elected Vice Chairman.

SO VOTED (4-0-1)

The organizational meeting was dissolved and Mrs. Krepelka handed the gavel over to Mr. Curro.

Mr. Curro asked for a moment of silence to honor Senator Kenneth Donnelly who passed away Sunday, April 2nd. He stated Senator Donnelly was a loving husband, father, friend to all and a wonderful friend to the Town of Arlington. Chairman Curro called it a sad irony that Senator Donnelly died from cancer because he was instrumental in the passage of laws which acknowledged the fact that firefighters are exposed to carcinogens and hazardous material on the job.

Mr. Curro also announced that Town Manager Chapdelaine and his wife Rita are the proud parents of Roger Philip who was born this morning. Both baby Roger and Mom are doing well.

### **PROCLAMATIONS**

2.     Proclamation: April is Autism Awareness Month  
       Diane M. Mahon, Selectmen

Mrs. Mahon asked the Board of Selectmen to endorse the month of April as Autism Awareness Month.

Mr. Mahon moved that the members of the Board of Selectmen do hereby proclaim April as Autism Awareness Month in the Town of Arlington, and observe the Town Hall displayed in blue lights for "Light It Up Blue" the week of April 3rd in order to increase awareness of autistic spectrum disorders.

SO VOTED (5-0)

## **CONSENT AGENDA**

3. Minutes of Meetings: March 27, 2017  
Mrs. Mahon moved approval. SO VOTED (5-0)
4. Request: Contractor/Drainlayer License  
Premier Pavers & Hardscape Co., 8 Oak Meadow Road, Lincoln, MA
5. Request: Contractor/Drainlayer License  
Terra Landscape & Construction, Inc., 138 Fisher Street, Westborough, MA
6. Request: Special (One Day) All Alcohol License, 4/22/17 @ Whittemore Robbins House for a Private Event  
Amanda Cegielski and Christopher Allen
7. For Approval: Sidewalk Cafe Permit Renewals  
Common Ground, 319 Broadway, Bob O'Guin  
Capitol Theatre, 204 Mass. Ave., Richard Fraiman
8. Appointments of New Election Workers: (1) Doreen Curley, 4 Winslow Street, D, Pct. 10; (2) Florence DeFelice, 109 North Union Street, D, Pct. 5; (3) Whitney DeVito, 25 Central Street, U, Pct. 21; (4) Susan Lawlor, 163 Woodside Lane, U, Pct. 1  
Mr. Byrne moved approval subject to all conditions as set forth. SO VOTED (5-0)

## **CITIZENS OPEN FORUM**

There were no matters presented for consideration of the Board.

## **TRAFFIC RULES & ORDERS / OTHER BUSINESS**

9. Announcement and Endorsement: Treasurer's Office Personnel Change  
Dean Carman  
Mr. Greeley, Mr. Curro and Mr. Byrne congratulated Mr. Carman on an excellent report.  
Mrs. Mahon asked Mr. Carman where he was in terms of discussions with SEIU.  
Mr. Dunn moved approval that the Board of Selectmen endorses the Treasurer's plan to make Deputy Treasurer Michael Morse (our Assistant Treasurer under Title 1, Article 4, Section 5 of the Town Bylaws and State Law) the day-to-day operational manager of the Treasury and Collections Divisions of the Treasurer's Office, as also recommended by the Town Manager and contingent upon successful SEIU negotiations. SO VOTED (5-0)

## **FINAL VOTES & COMMENTS**

Articles for Review:

Article 19 Vote/Appointment of Town Treasurer (tabled from 3/13/17 and 3/27/17 meetings)

Article 29 Endorsement of CDBG Application (tabled from 3/27/17 meeting)

Article 30 Bylaw Amendment/Departmental Revolving Fund Bylaw (tabled from 3/27/17 meeting)

Article 31 Revolving Funds (tabled from 3/27/17 meeting)

After some discussion, the Board voted that the vote used for the Selectmen's Report to Town Meeting will be the vote taken for the Final Votes & Comments from this point on. Also the Selectmen's Handbook will be revised to reflect this policy decision.

Mr. Greeley moved approval.

SO VOTED (5-0)

## **CORRESPONDENCE RECEIVED**

Request Parking Restrictions on Henderson Street

Nikki DePasquale, 19 Henderson Street, via Request/Answer Center

Request Resident Sticker Parking Only on Cleveland St.

Cheryl Marceau, Cleveland St. Resident

Mr. Curro moved that Ms. Marceau's request be sent to Safety Officer Corey Rateau for review and recommendation.

SO VOTED (5-0)

Mrs. Mahon moved receipt of Correspondence Received.

SO VOTED (5-0)

## **NEW BUSINESS**

Mr. Pooler, Deputy Town Manager, announced that the FY2018 Financial Plan is now posted on the Town Website.

The Deputy Town Manager also congratulated Mrs. Mahon and Mr. Dunn on their re-election to the Board.

Town Counsel Heim also congratulated Mrs. Mahon and Mr. Dunn on their re-election to the Board.

Mr. Greeley stated he was saddened by the death of Senator Donnelly and he would be greatly missed.

Mr. Greeley also congratulated Mrs. Mahon and Mr. Dunn on their re-election to the Board. He thanked all the voters that came out in the inclement weather to vote.

Mrs. Mahon thanked all the voters that came out on Saturday to vote and stated she would continue to build upon the work she has been doing over the last three years.

Mr. Dunn stated he wanted to thank everyone for their support and was looking forward to tackling the challenges over the next three years.

Mr. Byrne thanked all the voters that came out Saturday and all the poll workers that worked for the election.

Mr. Curro thanked Mrs. Malloy for her work that she is doing regarding the Town Manager's annual review.

Mr. Curro stated he participated in the Minuteman Senior Services' Meals on Wheels Program. Community leaders nationwide volunteered their time during the month of March to an outreach effort designed to draw attention to senior hunger in local communities to recruit volunteer drivers and raise needed funds.

Mrs. Mahon moved to adjourn at 8:20 p.m,

SO VOTED (5-0)

### **Next Scheduled Meeting of BoS April 24, 2017**

4/3/17

Agenda Item	Documents Used
1	
2	Proclamation – Autism Awareness Month 2017
3	March 27, 2017 Draft Minutes
4	Contractor/Drainlayer License Application Packet – Premier Pavers
5	Contractor/Drainlayer License Application Packet – Terra Landscape
6	Cegielski Wedding – Special Alcohol License Application Packet
7	Sidewalk Café Renewal Packet and Inspection Reports
8	Master Records / New Election Workers
9	Announcement and Endorsement: Treasurer's Office Personnel Change
Final Votes & Comments	Articles for Review: 2017 Annual Town Meeting Draft Votes and Comments Articles #19, #29, #30, #31
Corr. Rec'vd	DePasquale Correspondence, Meeting Notice – Henderson Street  Request Resident Sticker Parking Only on Cleveland Street / Cheryl Marceau



## **Town of Arlington, Massachusetts**

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**Request: Annual Hardy School PTO Walkathon, Wednesday, April 26, 2:30 p.m. - 4:00 p.m.**

**Summary:**

Patsy O'Brien, Hardy School PTO

**ATTACHMENTS:**

Type	File Name	Description
<input checked="" type="checkbox"/> Reference Material	Hardy_School_Walkathon.pdf	Request Letter; Town Application

Mar 30, 2017

Board of Selectmen  
Attn Marie Krepelka  
Town Hall  
730 Mass Ave  
Arlington, MA 02474

RE: Hardy School Walkathon

Dear Board of Selectmen,

The Hardy School PTO plans to hold its annual Walkathon on Wednesday, April 26<sup>th</sup>, 2017 with a rain date of Wednesday, May 3, 2017. The event will take place from 2:30-4:00 pm. We would like to request a permit for this event.

As in past years, the children will walk laps around the school to raise funds for the PTO to use for enrichment activities, field trips and other school related activities. We plan to follow the same route that we've used for the past years. We ask that the Department of Public Works block Chandler Street and Herbert Road during the walk except for residents and emergency vehicles. We will create a barrier along the short part of Lake Street where the walkers will be contained on the sidewalk and grass. We will make sure enough adults are stationed along the route to keep the children safe.

Please let me know if you have any questions. Thank you for your assistance in this matter.

Sincerely,

Patsy O'Brien  
Hardy School PTO  
857-928-0434

**TOWN OF ARLINGTON**  
**SPECIAL EVENT PERMIT APPLICATION**

**Applicant and Sponsoring Organization Information**

Name of Organization / Sponsor: HARDY SCHOOL  
Address: 54 LAKE ST City: ARLINGTON State: MA Zip: 02474  
Applicant Name: PATSY O'BRIEN / HARDY PTO Tel#: 857-928-0434  
E-mail: patsy@avalon-ventures.com  
Event Manager: PATSY O'BRIEN Contact Info: 857-928-0434  
Other Contact Person/s: TERRY HOLT Contact Info: \_\_\_\_\_

**Event Information**

Run/Walk  Parade  Event  
Event Title: HARDY WALKATION

Start Date & Time(s): 2:30 pm End Date & Time(s): 4 pm

Estimated Attendance: # ? Admission Fee: DONATIONS per LAP

Open to the Public:  Yes  No

Requested Location: Street (specify): CHAMOLER + HERBERT RD

Other (specify): \_\_\_\_\_

Set Up Date/Time & Description: 4/26 2:30 pm Drop horses in morning  
+ we set up

Breakdown Date/Time & Description: 4 pm - we will pull horses off

**NOTE: ATTACH DIAGRAM OF ROUTE WITH SPECIFICS**

**Event Details**

**YES**

**NO**

Will you set up table(s) and/or chair(s)? Approximate number: \_\_\_\_\_

Booth(s), Exhibit(s), Display(s) and/or Enclosure(s): \_\_\_\_\_

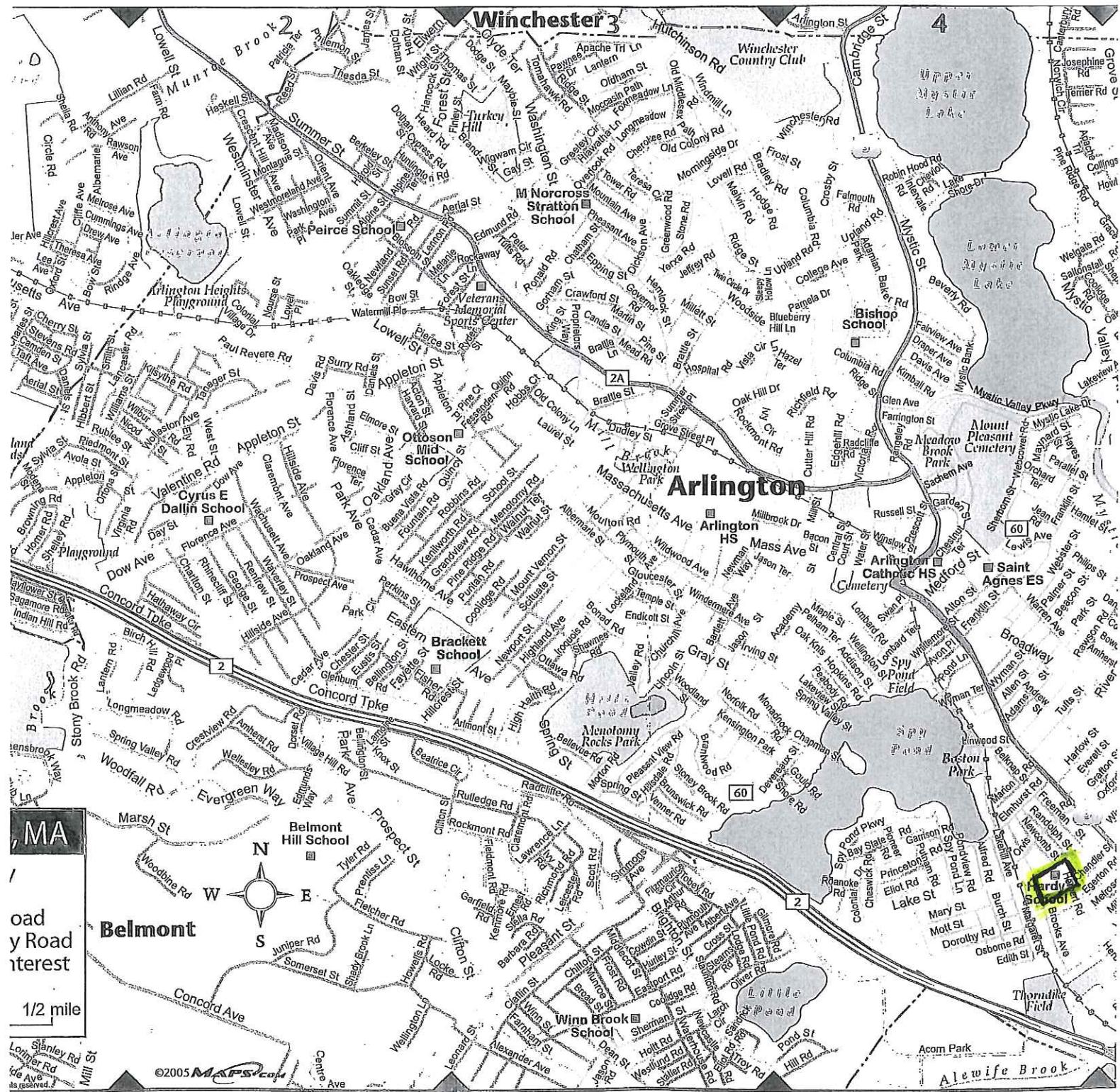
Canopy(ies) and/or Tent(s)- describe dimensions: \_\_\_\_\_

The following is required by your organization to insure the safety and health of all participating in this event: *Note: You do not need to contact the departments below if it is not required.*

**YES**

**NO**

Police Detail: \_\_\_\_\_ (contact police)





## Town of Arlington, Massachusetts

---

**Request: Special (One Day) All Alcohol License, 5/6/17 @ Whittemore Robbins House for a Private Event**

**Summary:**

Michele Noska, Beaujolais Catering

**ATTACHMENTS:**

Type	File Name	Description
------	-----------	-------------



## Town of Arlington, Massachusetts

---

**Request: Special (One Day) All Alcohol License, 5/20/17 @ Fidelity House, 25 Medford Street for the Annual Fundraiser**

**Summary:**

Frank Tessitore, President, Friends of Fidelity House

**ATTACHMENTS:**

Type	File Name	Description
<input checked="" type="checkbox"/>	Reference Material Fidelity_House_Special_Application.pdf	Special Alcohol License Application

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

**SPECIAL ALCOHOL LICENSE APPLICATION**

Name of Applicant: Frank Tessitore

Address, phone & e-mail contact information: 222 Highland Ave, Arlington, MA 02476  
781-863-0660 (w) 617-570-0890 (c) FrankCTessitore.com

Name & address of Organization for which license is sought: Friendly House  
25 Mayhew St, Arlington, MA 02476

Does this Organization hold nonprofit status under the IRS Code? ✓ Yes      No

Name of Responsible Manager of Organization (if different from above):

Ed Wiles, Executive Director; Friendly House - Frank Tessitore

Address, phone & e-mail contact information: 25 Mayhew St, Arlington, MA 02476  
781-648-2005   FriendlyHouse.org & EDW.com

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? No If so, please give date(s) of Special Licenses and/or applications and title of event(s). None

Is this event an annual or regular event? If so, when was the last time this event was held and at what location?

Annual Food- Beverage Fair May 13, 2016

24-Hour contact number for Responsible Manager on Event date: 781-648-2005 (w) 781-643-6635 (c)

Title of Event: Annual Food- Beverage Fair

Date/time of Event: May 13, 2017

Location of Event: Friendly House - 25 Mayhew St, Arlington, MA 02476

Location/Event Coordinator: Ed Wiles

Method(s) of invitation/publicity for Event: Meeting; Church Bulletin

\* Be sure to advise the police authority that no private advertising is

Number of people expected to attend: 350

Expected admission/ticket prices: \$60/person

Expected prices for food and beverages (alcoholic and non-alcoholic): Food included in ticket price; non-alcoholic food; alcohol is \$5

Will persons under age 21 be on premises? No

If "yes," please detail plan to prevent access of minors to alcoholic beverages. None

Have you consulted with the Department of Police Services about your security plan for the Event?

Yes

**OFFICE USE ONLY**

*For Police Chief, Operations Commander, or designee:*

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

Off. Corey P. Roteau Date 4/10/17  
Off. Corey P. Roteau  
Printed name/title

**POLICE COMMENTS:**

Request at least one officer

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.)

Beer, wine, liquors

What types of food and non-alcoholic beverages do you plan to serve at the Event?

Food - meat, pasta, vegetables, desserts  
Beverages - water, soda, coffee

Who will be responsible for serving alcoholic beverages at the Event? Member of  
Beverage Committee

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

State Resources

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.

See Attached

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: [www.mass.gov/abcc](http://www.mass.gov/abcc))

Author Total Wine & More; Delivery on or Before Event Date

Date of Delivery: May 22, 2017

Alcohol Serving Time (s): 6:30 PM - 11:00 AM

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?

The Alcohol will be disposed of immediately after the event. There will be no excess alcohol left by any attendees from the event

Date of Pick-Up: May 21, 2017

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)

Event coverage obtained thru American Surety  
of Boston

Please submit this completed form and filing fee to the Board of Selectmen at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature: R. W. R.

Printed name: Rich Russell

Printed title & Organization name: Alcohol - Delivery at Filing Date

Email: Richie.C.001Law.com



On Premise                    SSN:     XXX-XX-XXXX  
Issued: 7/1/2014              Expires: 6/15/2017  
ID#: 3761277                D.O.B.: XX/XX/XXXX

MARISA L DOHERTY  
20 Old Middlesex Path  
Arlington, MA 02474-1924

For service visit us online at [www.gettips.com](http://www.gettips.com)  
Benjamin Stoller, 46030



**IPS** On Premise SSN: XXX-XX-XXXX  
Issued: 7/1/2014 Expires: 6/15/2017  
ID#: 3761278 D.O.B.: XX/XX/XXXX

ELISA M DOHERTY  
20 Old Middlesex Path  
Arlington, MA 02474-1924

For service visit us online at [www.gettips.com](http://www.gettips.com)  
Benjamin Stoller, 46030

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HEALTH COMMUNICATIONS INC.

1400 Key Blvd., Suite 700  
Arlington, VA 22209  
703-524-1200  
[www.gettips.com](http://www.gettips.com)

*This card was issued for successful completion of the TIPS program.*

Signature: Elisa M. Schettli

25 Medford Street  
Arlington, MA 02474  
781-648-2005  
[www.fidelityhouse.org](http://www.fidelityhouse.org)



Edward F. Woods  
Executive Director

## FIDELITY HOUSE

March 6, 2017

Department of Police Services  
112 Mystic Street  
Arlington MA 02476

Attention: Officer Cory Rateau

Dear Officer Rateau:

Enclosed please- find an Application for Special (One-Day) Liquor License for Fidelity House for its annual fundraiser to be held on May 20<sup>th</sup>, 2017. The event will be held at Fidelity House at its location at 25 Medford Street, Arlington, Massachusetts. Pursuant to the application, Fidelity House is required to submit a security plan to the Department of Police Services for their approval. Accordingly, the application is attached, and an explanation is provided below regarding the security plan for the event. If satisfactory, could you please sign and date on page two and return to me at the address above. I can then submit to the Board of Selectmen for approval.

As indicated above, the event will be held at Fidelity House at its 25 Medford Street location on May 20<sup>th</sup>, 2017. The security plan for crowd control, unruly patrons, emergency evacuations, traffic/parking considerations and controlling access to alcohol by underage persons will entail the following:

1. Police detail will be requested. Typically, the detail officer is stationed inside the gymnasium where the majority of seating is located and the evening's events, such as a silent and live auction, take place. An adjoining enclosed tent with access only from inside the gymnasium is used for overflow and additional seating for the buffet. This is a defined area away from public ways with no access from the outside. Several event volunteers also circulate all evening to observe all activity and persons.

2. All entrances are closed, and one entrance only for ticketed guests is manned by staff. Proof of purchased ticket is required for entrance. All emergency exits are clearly marked in the entire building pursuant to the licensing requirements of Fidelity House for its various children's programs. Staff members of Fidelity House will be present at the event and are trained in the facility's emergency evacuation plans.

3. No guest under the age of 21 is permitted to attend the event. No staff person or volunteer is under the age of 21.

4. Admission to the event is limited to ticketed guests who will pay \$60 per person for admission. Ticket price includes a buffet meal. Beverages are not included. Beverages that can be purchased include soft drinks, water, beer, wine and limited mixed drinks.

5. Purchase of beverage tickets is at manned stations separate from the areas in which beverages are purchased and served. Cash from the stations selling the beverage tickets is collected on a regular basis and secured in a safe in an office located in the administrative portion of the building. The collection of cash is done on a regular basis throughout the evening.

6. All persons selling beverage tickets are over the age of 21 and provide observation and feedback to the appropriate parties if any unusual circumstances are detected.

7. The bartenders provide a second set of observations with respect to guests and are instructed to report any unusual circumstances to the appropriate persons.

8. One person is designated to act as the alcohol supervisor for the evening and would be the designated person for either the ticket sellers or bartenders to report any unusual activities. This person would then coordinate with the detail police officer to take any necessary precautions.

9. No alcohol or other beverages from the outside are permitted into the event.

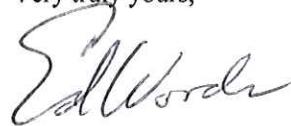
10. The serving of alcohol will end at 11:00 p.m., approximately one hour before the end of the event.

11. Traffic/parking is handled in the same manner as activities at St. Agnes Church or St. Agnes School. Parking is available in the school parking lot, the municipal parking lot and on street.

12. A list of bartenders, including two (2) who are TIPS certified is attached.

If you have any further questions or wish to add feedback or consult regarding the plan, please do not hesitate to contact me

Very truly yours,



Ed Woods  
Executive Director

Enclosure



## Town of Arlington, Massachusetts

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### For Approval: Sidewalk Cafe Permit Renewals

#### **Summary:**

Barismo, 171 Massachusetts Avenue, Hong Xue  
Gail Ann, 10 Medford Street, Kiriakes Karageorgiou  
Ristorante Olivio, 201 Massachusetts Avenue, Angelo DiGirolamo

#### **ATTACHMENTS:**

Type	File Name	Description
<input type="checkbox"/> Reference Material	Ref_Mat_4.24.17_Sidewalk_Cafe_Renewals.pdf	renewal application packets & reports

## INSPECTIONS SUMMARY REPORT-2017 ANNUAL RENEWALS

BARISMO  
GAIL ANN  
RISTORANTE OLIVIO

The following Departments have no objections to the issuance of said license:

- Building       X
- BOH       X
- Planning       X
- ADA       X

The following Departments have objections to the issuance of said license:  
(see attached comments)

- Building \_\_\_\_\_
- BOH \_\_\_\_\_
- Planning \_\_\_\_\_
- ADA \_\_\_\_\_

**BOARD OF SELECTMEN  
RENEWAL - INSPECTION REPORT**

**REPORT IS REQUIRED FROM EACH DEPARTMENT BY 4/19/17**

Location: 171 Mass. Ave.  
Applicant's Name: Hong Xue  
D/B/A: Barismo Inc.  
Telephone: 339 368-7300  
Department: Sent Interoffice Mail & E-mail      Date: 3/29/17

---

**MEETING DATE: 4/24/17**

**RE: SIDEWALK CAFÉ PERMIT**

Inspected by: Board of Health

Building

Planning

ADA

Comments by each Division or Department:



Town of Arlington  
Department of Health and Human Services  
Office of the Board of Health

27 Maple Street  
Arlington, MA 02476

Tel: (781) 316-3170  
Fax: (781) 316-3175

To: Board of Selectmen  
From: Natasha Waden, Health Compliance Officer  
Date: April 13, 2017  
RE: Café Outdoor Seating Permit Renewals

---

Please accept the following as comments from the Office of the Board of Health regarding Permit Renewals for Café Outdoor Seating at Ristorante Olivio, Barismo Inc., and Gail Ann

- The Establishment must prohibit smoking and and the use of e-cigarettes in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or by using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of two hundred dollars (\$200.00) for each day of the violation.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

# COMMISSION ON DISABILITY, TOWN OF ARLINGTON

20 ACADEMY STREET, SUITE 203, ARLINGTON, MASSACHUSETTS 02476-6436 (781) 316-3431



MEMO TO: Board of Selectmen  
Adam Chadelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs *JJ*

DATE: April 18, 2017

RE: Barismo Inc. Sidewalk Cafe' Permit

It appears from the attached diagram and a completed survey of the sidewalk in front of **Barismo, 171 Mass. Ave.** that all conditions pertaining to accessibility of sidewalk dining are in compliance with ADA Architectural Access Guidelines and Massachusetts Architectural Access Board regulations.

In order to be in compliance with regards to sidewalk dining the absolute minimum clear path of travel along the sidewalk must be at least 36" excluding curb stones with at least 36" between tables according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Access Guidelines. The Arlington Commission on Disability does have a preference for a 48" clear path of travel. Possible obstructions on the sidewalk that could affect compliance after permitting that will need to be watched are location of tables, chairs, other furniture, trees, trash receptacles, fire hydrants, planters, sandwich boards, etc. In addition a portion (5%), but not less than one, of available seating must be wheelchair accessible. The Disability Commission recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to restaurants providing training for all their restaurant staff to ensure that accessibility is maintained after the permitting process.

**BOARD OF SELECTMEN**  
**RENEWAL - INSPECTION REPORT**

**REPORT IS REQUIRED FROM EACH DEPARTMENT BY 4/19/17**

Location: 171 Mass. Ave.  
Applicant's Name: Hong Xue  
D/B/A: Barismo Inc.  
Telephone: 339 368-7300  
Department: Sent Interoffice Mail & E-mail

Date: 3-29-17

---

**MEETING DATE: 4/24/17**

Departments:

**Re: Sidewalk Café Permit**

Police  
Fire  
Board of Health  
Building  
Planning – Ali Carter, Economic Development Coordinator

Comments by each Division or Department:

The existing approved outdoor seating areas of this coffee bar consists of two benches against the storefront and a larger satellite space with three tables and eight chairs by the Massachusetts Avenue curb line. The two are separated by an acceptable five foot pedestrian travel corridor and the curbside area is sufficiently buffered by planters as recommended in the sidewalk café regulations.

The Department of Planning and Community Development has no objection to the issuance of a sidewalk café permit to the Applicant.

Any changes in signage, including signs in the window, and changes to the facade of the building are subject to review by this department. The applicant is reminded that all signs, including re-lettering of the existing signs require a permit issued by the Building Department. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

---

Applicant Section:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: \_\_\_\_\_

Date: \_\_\_\_\_

**From:** "Ken McConnell" <KMcConnell@town.arlington.ma.us>  
**To:** "MaryAnn Sullivan" <MSullivan@town.arlington.ma.us>  
**Date:** 04/13/2017 08:25 AM  
**Subject:** Re: Reminder: Inspection Reports needed Wednesday 4/19

Maryann, Building has no issues with Olivio s-Barismo-Gail Ann-Twirl has seating issues Ken

# Sidewalk Café Permit Application - Town of Arlington, MA

This is an application to the Board of Selectmen of the Town of Arlington Massachusetts, for a permit to place and maintain a Sidewalk Café (an outside seating area for licensed restaurants) on the public right of way in Arlington, Massachusetts described below:

## (PLEASE TYPE OR PRINT)

Business Name:

barismo inc

Length of Storefront (ft):

25 ft

Business Address/Location:

171 Mass Ave Arlington, MA 02474

Width of Sidewalk along Storefront (ft); \*1:

15 ft

Phone Number/Email:

339 368 7300

Length of Proposed Sidewalk Café (ft):

25 ft

Business Representative's Name:

Hong Xue

Width of Proposed Sidewalk Café (ft); \*2:

10 ft

Name & Address of Building Owner:

Tom Hakkafotis 173 Mass Ave Arlington, MA 02474

\*1: Measure from front Building Wall to inside of sidewalk granite curb edge.

\*2: Measure from front Building Wall to outside of Sidewalk Café surrounding border fencing/barrier.

## Application Submittal Requirements:

1.) Fee: An annual permit fee of **\$50.00** payable to the Town of Arlington filed with the Selectmen's Office. The Board may prorate its fee for applicants in their initial term to reflect the number of months the permit sought will be held.

2.) Site Plan: Furnish a **Site Plan** (scale diagram) showing the location of tables, chairs, umbrellas, trash receptacles, heaters, barricades, as well as a **picture or photograph of the proposed furniture** in compliance with the following requirements:

- No person or entity shall cause to be placed within the public ways any furniture without applying for a permit and receiving approval from the Board of Selectmen of the Town. This permit shall be considered separate and distinct from others issued by the Town, including those for common victuallers.
- Ordinarily, the location of the sidewalk café must be directly in front of the business operating the café, and may not extend beyond the side property lines. It shall be sited as close to the building façade as practicable and in no event to exceed twelve (12) feet from the food service door of the establishment.
  - Under limited circumstances, sidewalk café areas may be approved adjacent to a storefront, grouped at a distance from the storefronts, or allowed in both positions if a scaled plan showing dimensions clearly establishes:

- a) The requested location(s) create the least obstruction for pedestrian access to storefronts, crosswalks and pedestrian circulation, and/or
  - b) the location does not extend substantially beyond the side edges of the business (allowing for up to 10 feet of latitude where landscaping, public facilities, utility poles or adjacent seating areas obstruct the front of the business premises), and/or
  - c) no more than 256 square feet of the public way would be cordoned off for establishments serving liquor unless the Board determines from the scaled site plan (with dimensions shown) and photos that additional square footage for outdoor seating would not leave less than 36" to the nearest barrier, would not impede circulation, and would not preclude other allowed desirable uses for the public space, and
  - d) in every case, the additional seating does not violate zoning, building, or other code as determined by the Director of Inspectional Services.
- Further, Tables, chairs, benches, food equipment shall be located so that they do not impede, endanger or interfere with pedestrian traffic, with a minimum width of three (3) feet and a recommended width of four (4) feet of unobstructed passage for pedestrian traffic.
- In addition, no sidewalk café furniture shall be affixed, erected, installed, placed, used or maintained **within five (5) feet** of any marked or unmarked crosswalk or handicapped ramp; or within five (5) feet of any fire hydrant, fire lane, call box, or bus stop.
- Unlicensed furniture within the public ways of the Town will be subject to removal with the cost thereof to be borne entirely by the owner. In addition, fines may be imposed by the Board of Selectmen not to exceed \$100 for removal, storage or destruction.
- No fixtures or devices on which food or beverages are sold or consumed shall be attached to the sidewalk or other public area. The property owner is responsible for the restoration of the sidewalk or public-right-of-way if any damage is caused by the sidewalk café. Physical barriers bordering/framing a sidewalk café may not exceed four (4) feet in height.
- Lighting for sidewalk cafes is subject to approval during the permitting process. Tabletop lighting may include candles and battery-operated fixtures.
- Well-designed physical barricades surrounding/framing sidewalk cafés are **strongly encouraged**.

3.) **Insurance:** The applicant restaurant-owner shall furnish a **certificate of insurance** providing commercial insurance coverage for bodily injury, death, disability, and property damage liability in the following amounts:

- **At least \$1,000,000 per occurrence and \$3,000,000 annual aggregate for any restaurant serving alcohol as part of its use of sidewalk café space; or**

- At least \$300,000 per occurrence and \$900,000 annual aggregate for restaurants which are either not licensed to serve alcohol or restaurants which attest that they will not serve alcohol as part of their use of sidewalk café space.

The Town of Arlington shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of a sidewalk café. In the event the insurance is cancelled, the permit holder has 24 hours to reinstate the insurance or the permit shall be revoked. The permit holder shall immediately inform the Selectmen's Office if insurance under this provision is revoked and shall not operate the sidewalk café until insurance is restated in accordance with this requirement. An insurance certificate naming the Town as an additional insured must be provided to the Office of the Board of Selectmen before any Sidewalk Café/Outdoor Seating Area will be issued.

4.) Indemnification and Acknowledgement of Rights: The applicant restaurant-owner shall also furnish a signed agreement to indemnify the Town of Arlington for its use of public property as a sidewalk café/outdoor seating from any and all claims that may be brought against the Town in connection with such use. Such a signed agreement shall also acknowledge the Town's rights with respect to its property and the limitations of the permit (attached hereto).

5.) Compliance Requirements: By signing this application, the Applicant agrees to accept and comply with the following requirements:

- All services provided to sidewalk café customer and customer activity must occur within the designated sidewalk café area.
- Permit holder is responsible for proper supervision of the sidewalk café in order to ensure the requirements of this section are met.
- Permit holders must ensure that the requirements for operation are met. These include:
  - Patrons must wear shoes and shirts at all times.
  - All sidewalk cafes must maintain at least one opening for ingress and egress at all times. All sidewalk cafes shall abide by all requirements of the currently adopted International Building Code and the American's with Disabilities Act.
  - To the extent applicable, sidewalk cafes must adhere to all regulations pertaining to food and beverage enforced by the Board of Health and Board of Selectmen.
  - All areas within and surrounding a sidewalk café must be maintained in a clean, neat, and sanitary condition.
  - All permit holders shall be required to abide by all federal, state, and local laws.
  - Outdoor alcohol service (and food service when alcohol is served outdoors) shall conclude at or before 10:00 p.m. Sunday through Thursday, and at or before 11:00 p.m. Friday and Saturday.

6.) Other Regulations: By receiving a sidewalk café/outdoor seating permit, restaurants are not exempted from other federal, state, and local laws and regulations. Among other regulations, permit holders must comply with local zoning and state building code requirements and Board of Selectmen alcohol service regulations. Applicants are strongly advised to ensure their plans comply with zoning and state building requirements by contacting Inspectional Services.

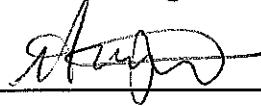
7.) Revocation: The sidewalk café permit may be revoked for failure to maintain the standards required for the initial permit. A notice of intent to revoke a sidewalk café permit shall be given in writing 10-days prior to actual revocation and shall specify the area or areas of failure to meet requirements and maintain conditions the Town may have imposed. If, during that period, proof of compliance is made to the satisfaction of designated Town Inspectors by the holder of the permit, the permit shall be continued in force.

- Applicant certifies that all current property taxes due on its licensed premises are paid if property is owned by the Applicant.
- Applicant agrees to permit the Town to periodically verify the accuracy of information contained in this Application and agrees to provide information requested to verify the accuracy of the information and the Certifications contained in this Application.

8.) Term & Non-Transferability: Each Sidewalk Café Permit is valid for one calendar year from the January 1<sup>st</sup> through December 31st and is non-transferable.

I have read and fully understand the above rules and regulations applying to the approval of this permit.

Dated Mar. 5, 2017

By: 

(Signature)

(Print Name & Address) Hong Xue 8171 MASS Ave Arlington MA 02474

#### NOTE:

No sales or consumption of any alcoholic beverages can be allowed by the license holder in the patio area unless and until the changes to their location are approved by both the LLA, the ABCC and a new amended license (with the approved changes added to the description of premises) is issued.

Go to: [www.mass.gov/abcc](http://www.mass.gov/abcc) website for the ABCC application - Alteration of Premises and return with this application.

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON

**SIDEWALK CAFÉ INDEMNIFICATION AGREEMENT & ACKNOWLEDGEMENT**

On behalf of the business applying for a Sidewalk Café (Outdoor Seating) license from the Town of Arlington Board of Selectmen, I, as a duly authorized agent of Barismo INC, a licensed restaurant operating within the Town of Arlington, acknowledge that I seek permission to use a portion of the public sidewalk in front of (or where permitted, adjacent to) the business premises to operate a sidewalk café/outdoor seating area. I understand that a Sidewalk Café permit does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

Furthermore, I, as a duly authorized agent of Barismo INC, agree to hold harmless the Town of Arlington, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

I understand that Board of Selectmen and/or any government agency with jurisdiction may revoke my permit to use public sidewalk space at any time for any reason whatsoever. The permit can be revoked for failure to comply with any terms and conditions of the permit or any agreements between my business and the Town of Arlington or for violation of any of the rules and regulations enforced by Board of Selectmen, the Department of Inspectional Services, the Police Department, or the Board of Health. I understand there will be no refund of any fees or compensation paid to the Town of Arlington.

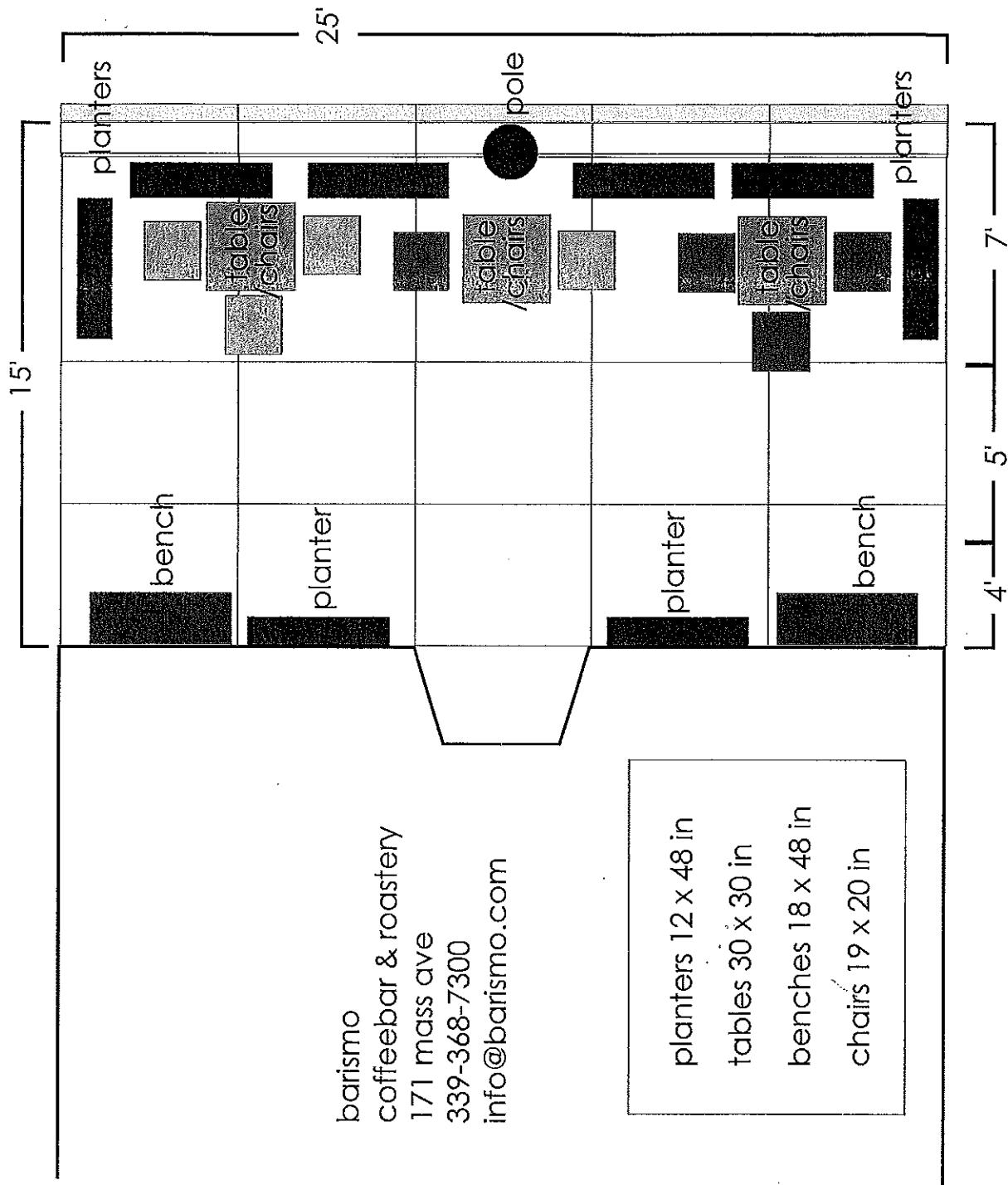
I further agree to promptly remove any property placed on the sidewalk space or reimburse the Town of Arlington for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

I certify that I have read and agree with the terms and conditions outlined both here and within the Sidewalk Café Permit Application.

Signature

Date

3/28/17



barismo  
coffeebar & roastery  
171 mass ave  
339-368-7300  
[info@barismo.com](mailto:info@barismo.com)

**BOARD OF SELECTMEN  
RENEWAL - INSPECTION REPORT**

**REPORT IS REQUIRED FROM EACH DEPARTMENT BY 4/19/17**

Location: 10 Medford St.  
Applicant's Name: Kiriakes Karageorgiou  
D/B/A: Gail Ann Coffee Shop  
Telephone: 781 648-5984  
Department: Sent Interoffice Mail & E-mail      Date: 3/30/17

---

**MEETING DATE: 4/24/17**

**RE: SIDEWALK CAFÉ PERMIT**

Inspected by: Board of Health

Building

Planning

ADA

Comments by each Division or Department:



Town of Arlington  
Department of Health and Human Services  
Office of the Board of Health

27 Maple Street  
Arlington, MA 02476

Tel: (781) 316-3170  
Fax: (781) 316-3175

To: Board of Selectmen  
From: Natasha Waden, Health Compliance Officer  
Date: April 13, 2017  
RE: Café Outdoor Seating Permit Renewals

---

Please accept the following as comments from the Office of the Board of Health regarding Permit Renewals for Café Outdoor Seating at Ristorante Olivio, Barismo Inc., and Gail Ann

- The Establishment must prohibit smoking and and the use of e-cigarettes in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or by using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of two hundred dollars (\$200.00) for each day of the violation.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

# COMMISSION ON DISABILITY, TOWN OF ARLINGTON

20 ACADEMY STREET, SUITE 203, ARLINGTON, MASSACHUSETTS 02476-6436 (781) 316-3431



MEMO TO: Board of Selectmen  
Adam Chadelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs *JK*

DATE: April 18, 2017

RE: Gail Ann Coffee Shop Sidewalk Cafe' Permit

It appears from the attached diagram and a completed survey of the sidewalk in front of **Gail Ann Coffee Shop, 10 Medford St.** that all conditions pertaining to accessibility of sidewalk dining are in compliance with ADA Architectural Access Guidelines and Massachusetts Architectural Access Board regulations.

In order to be in compliance with regards to sidewalk dining the absolute minimum clear path of travel along the sidewalk must be at least 36" excluding curb stones with at least 36" between tables according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Access Guidelines. The Arlington Commission on Disability does have a preference for a 48" clear path of travel. Possible obstructions on the sidewalk that could affect compliance after permitting that will need to be watched are location of tables, chairs, other furniture, trees, trash receptacles, fire hydrants, planters, sandwich boards, etc. In addition a portion (5%), but not less than one, of available seating must be wheelchair accessible. The Disability Commission recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to restaurants providing training for all their restaurant staff to ensure that accessibility is maintained after the permitting process.

**BOARD OF SELECTMEN**  
**RENEWAL - INSPECTION REPORT**

**REPORT IS REQUIRED FROM EACH DEPARTMENT BY 4/19/17**

Location: 10 Medford St.  
Applicant's Name: Kiriakes Karageorgiou  
D/B/A: Gail Ann Coffee Shop  
Telephone: 781 648-5984  
Department: Sent Interoffice Mail & E-mail

Date: 3-30-17

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**MEETING DATE: 4/24/17**

Departments:

**Re: Sidewalk Café Permit**

Police  
Fire  
Board of Health  
Building  
Planning – Ali Carter, Economic Development Coordinator

Comments by each Division or Department:

The proposed outdoor seating for this business consists of 1 table and 3 chairs. This will provide an acceptable five-foot travel corridor on the sidewalk. The applicant should ensure that the proposed furniture be kept close to the shop entrance to maintain that five-foot corridor, which allows adequate space for foot traffic and ADA compliance.

The Department of Planning and Community Development has no objection to the issuance of a sidewalk café permit to the Applicant.

Any changes in signage, including signs in the window, and changes to the facade of the building are subject to review by this department. The applicant is reminded that all signs, including re-lettering of the existing signs require a permit issued by the Building Department. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

---

**Applicant Section:**

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: \_\_\_\_\_

Date: \_\_\_\_\_

**From:** "Ken McConnell" <KMcConnell@town.arlington.ma.us>  
**To:** "MaryAnn Sullivan" <MSullivan@town.arlington.ma.us>  
**Date:** 04/13/2017 08:25 AM  
**Subject:** Re: Reminder: Inspection Reports needed Wednesday 4/19

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Maryann, Building has no issues with Olivio s-Barismo-Gail Ann-Twyrl has seating issues Ken

# Sidewalk Café Permit Application - Town of Arlington, MA

This is an application to the Board of Selectmen of the Town of Arlington Massachusetts, for a permit to place and maintain a Sidewalk Café (an outside seating area for licensed restaurants) on the public right of way in Arlington, Massachusetts described below:

## (PLEASE TYPE OR PRINT)

Business Name:

Bail Ann Coffee Shop

Length of Storefront (ft):

12'

Width of Sidewalk along Storefront (ft); \*1:

9'

Length of Proposed Sidewalk Café (ft):

8'

Width of Proposed Sidewalk Café (ft); \*2:

4'

Business Address/Location:

10 Medford St. Arlington

Phone Number/Email:

(781) 648-5984

Business Representative's Name:

Kiriakos Karageorgiou

Name & Address of Building Owner:

Pasciuto Frank & Fermina TRS/GIO Realty trust 455 MASS AV.  
Arlington MA 02474

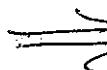
\*1: Measure from front Building Wall to inside of sidewalk granite curb edge.

\*2: Measure from front Building Wall to outside of Sidewalk Café surrounding border fencing/barrier.

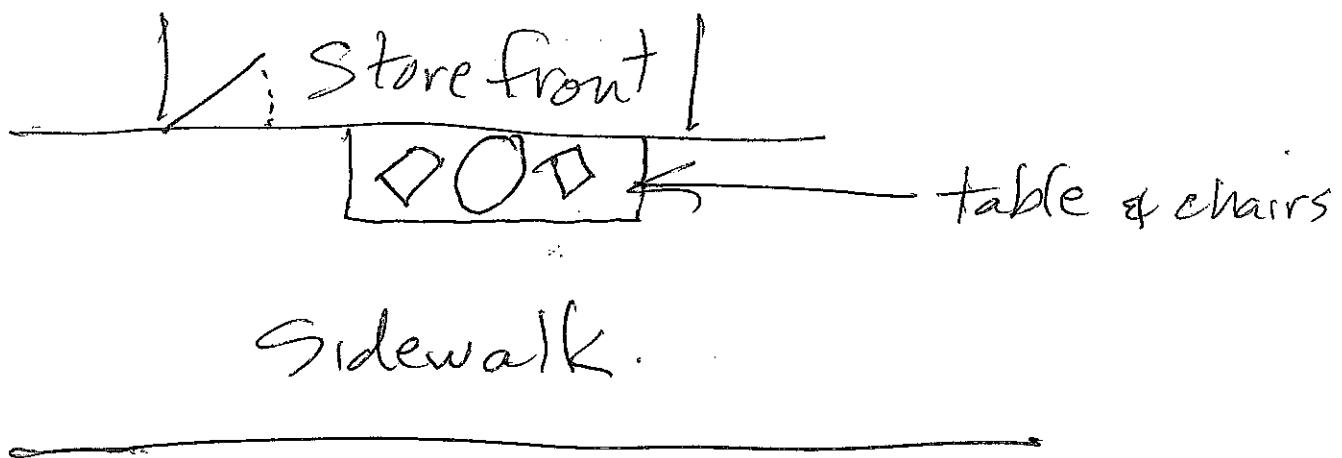
## Application Submittal Requirements:

1.) Fee: An annual permit fee of **\$50.00** payable to the Town of Arlington filed with the Selectmen's Office. The Board may prorate its fee for applicants in their initial term to reflect the number of months the permit sought will be held.

2.) Site Plan: Furnish a **Site Plan** (scale diagram) showing the location of tables, chairs, umbrellas, trash receptacles, heaters, barricades, as well as a **picture or photograph of the proposed furniture** in compliance with the following requirements:

 OVER

- No person or entity shall cause to be placed within the public ways any furniture without applying for a permit and receiving approval from the Board of Selectmen of the Town. This permit shall be considered separate and distinct from others issued by the Town, including those for common victuallers.
- Ordinarily, the location of the sidewalk café must be directly in front of the business operating the café, and may not extend beyond the side property lines. It shall be sited as close to the building façade as practicable and in no event to exceed twelve (12) feet from the food service door of the establishment.
  - Under limited circumstances, sidewalk café areas may be approved adjacent to a storefront, grouped at a distance from the storefronts, or allowed in both positions if a scaled plan showing dimensions clearly establishes:



- a) The requested location(s) create the least obstruction for pedestrian access to storefronts, crosswalks and pedestrian circulation, and/or
  - b) the location does not extend substantially beyond the side edges of the business (allowing for up to 10 feet of latitude where landscaping, public facilities, utility poles or adjacent seating areas obstruct the front of the business premises), and/or
  - c) no more than 256 square feet of the public way would be cordoned off for establishments serving liquor unless the Board determines from the scaled site plan (with dimensions shown) and photos that additional square footage for outdoor seating would not leave less than 36" to the nearest barrier, would not impede circulation, and would not preclude other allowed desirable uses for the public space, and
  - d) in every case, the additional seating does not violate zoning, building, or other code as determined by the Director of Inspectional Services.
- Further, Tables, chairs, benches, food equipment shall be located so that they do not impede, endanger or interfere with pedestrian traffic, with a minimum width of three (3) feet and a recommended width of four (4) feet of unobstructed passage for pedestrian traffic.
- In addition, no sidewalk café furniture shall be affixed, erected, installed, placed, used or maintained **within five (5) feet** of any marked or unmarked crosswalk or handicapped ramp; or within five (5) feet of any fire hydrant, fire lane, call box, or bus stop.
- Unlicensed furniture within the public ways of the Town will be subject to removal with the cost thereof to be borne entirely by the owner. In addition, fines may be imposed by the Board of Selectmen not to exceed \$100 for removal, storage or destruction.
- No fixtures or devices on which food or beverages are sold or consumed shall be attached to the sidewalk or other public area. The property owner is responsible for the restoration of the sidewalk or public-right-of-way if any damage is caused by the sidewalk café. Physical barriers bordering/framing a sidewalk café may not exceed four (4) feet in height.
- Lighting for sidewalk cafes is subject to approval during the permitting process. Tabletop lighting may include candles and battery-operated fixtures.
- Well-designed physical barricades surrounding/framing sidewalk cafés are **strongly encouraged**.

3.) Insurance: The applicant restaurant-owner shall furnish a **certificate of insurance** providing commercial insurance coverage for bodily injury, death, disability, and property damage liability in the following amounts:

- **At least \$1,000,000 per occurrence and \$3,000,000 annual aggregate for any restaurant serving alcohol as part of its use of sidewalk café space; or**

- At least \$300,000 per occurrence and \$900,000 annual aggregate for restaurants which are either not licensed to serve alcohol or restaurants which attest that they will not serve alcohol as part of their use of sidewalk café space.

The Town of Arlington shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of a sidewalk café. In the event the insurance is cancelled, the permit holder has 24 hours to reinstate the insurance or the permit shall be revoked. The permit holder shall immediately inform the Selectmen's Office if insurance under this provision is revoked and shall not operate the sidewalk café until insurance is restated in accordance with this requirement. An insurance certificate naming the Town as an additional insured must be provided to the Office of the Board of Selectmen before any Sidewalk Café/Outdoor Seating Area will be issued.

4.) Indemnification and Acknowledgement of Rights: The applicant restaurant-owner shall also furnish a signed agreement to indemnify the Town of Arlington for its use of public property as a sidewalk café/outdoor seating from any and all claims that may be brought against the Town in connection with such use. Such a signed agreement shall also acknowledge the Town's rights with respect to its property and the limitations of the permit (attached hereto).

5.) Compliance Requirements: By signing this application, the Applicant agrees to accept and comply with the following requirements:

- All services provided to sidewalk café customer and customer activity must occur within the designated sidewalk café area.
- Permit holder is responsible for proper supervision of the sidewalk café in order to ensure the requirements of this section are met.
- Permit holders must ensure that the requirements for operation are met. These include:
  - Patrons must wear shoes and shirts at all times.
  - All sidewalk cafes must maintain at least one opening for ingress and egress at all times. All sidewalk cafes shall abide by all requirements of the currently adopted International Building Code and the American's with Disabilities Act.
  - To the extent applicable, sidewalk cafes must adhere to all regulations pertaining to food and beverage enforced by the Board of Health and Board of Selectmen.
  - All areas within and surrounding a sidewalk café must be maintained in a clean, neat, and sanitary condition.
  - All permit holders shall be required to abide by all federal, state, and local laws.
  - Outdoor alcohol service (and food service when alcohol is served outdoors) shall conclude at or before 10:00 p.m. Sunday through Thursday, and at or before 11:00 p.m. Friday and Saturday.

6.) Other Regulations: By receiving a sidewalk café/outdoor seating permit, restaurants are not exempted from other federal, state, and local laws and regulations. Among other regulations, permit holders must comply with local zoning and state building code requirements and Board of Selectmen alcohol service regulations. Applicants are strongly advised to ensure their plans comply with zoning and state building requirements by contacting Inspectional Services.

7.) Revocation: The sidewalk café permit may be revoked for failure to maintain the standards required for the initial permit. A notice of intent to revoke a sidewalk café permit shall be given in writing 10-days prior to actual revocation and shall specify the area or areas of failure to meet requirements and maintain conditions the Town may have imposed. If, during that period, proof of compliance is made to the satisfaction of designated Town Inspectors by the holder of the permit, the permit shall be continued in force.

- Applicant certifies that all current property taxes due on its licensed premises are paid if property is owned by the Applicant.
- Applicant agrees to permit the Town to periodically verify the accuracy of information contained in this Application and agrees to provide information requested to verify the accuracy of the information and the Certifications contained in this Application.

8.) Term & Non-Transferability: Each Sidewalk Café Permit is valid for one calendar year from the January 1<sup>st</sup> through December 31st and is non-transferable.

I have read and fully understand the above rules and regulations applying to the approval of this permit.

Dated 3/17, 2017

By: APB

(Signature)

(Print Name & Address) Kirakos Kavagyan 34 Forest St.  
Arlington, MA 02476

#### NOTE:

No sales or consumption of any alcoholic beverages can be allowed by the license holder in the patio area unless and until the changes to their location are approved by both the LLA, the ABCC and a new amended license (with the approved changes added to the description of premises) is issued.

Go to: [www.mass.gov/abcc](http://www.mass.gov/abcc) website for the ABCC application - Alteration of Premises and return with this application.

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON

**SIDEWALK CAFÉ INDEMNIFICATION AGREEMENT & ACKNOWLEDGEMENT**

On behalf of the business applying for a Sidewalk Café (Outdoor Seating) license from the Town of Arlington Board of Selectmen, I, as a duly authorized agent of Gail Ann Coffee Shop, a licensed restaurant operating within the Town of Arlington, acknowledge that I seek permission to use a portion of the public sidewalk in front of (or where permitted, adjacent to) the business premises to operate a sidewalk café/outdoor seating area. I understand that a Sidewalk Café permit does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

Furthermore, I, as a duly authorized agent of Gail Ann coffee shop, agree to hold harmless the Town of Arlington, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

I understand that Board of Selectmen and/or any government agency with jurisdiction may revoke my permit to use public sidewalk space at any time for any reason whatsoever. The permit can be revoked for failure to comply with any terms and conditions of the permit or any agreements between my business and the Town of Arlington or for violation of any of the rules and regulations enforced by Board of Selectmen, the Department of Inspectional Services, the Police Department, or the Board of Health. I understand there will be no refund of any fees or compensation paid to the Town of Arlington.

I further agree to promptly remove any property placed on the sidewalk space or reimburse the Town of Arlington for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

I certify that I have read and agree with the terms and conditions outlined both here and within the Sidewalk Café Permit Application.

A handwritten signature in black ink, appearing to read "John Doe".

Signature

3/17/17

Date

1/ Store front



table & chairs

Sidewalk.



## **BOARD OF SELECTMEN RENEWAL - INSPECTION REPORT**

**REPORT IS REQUIRED FROM EACH DEPARTMENT BY APRIL 5, 2017**

Location: 201 Massachusetts Ave.  
Applicant's Name: Angelo DiGirolamo  
D/B/A: Ristorante Olivio  
Telephone: 781 648-2300  
Department: Sent Interoffice Mail & E-mail Date: 3/23/17

**Meeting Date: APRIL 10, 2017**

**RE: OUTSIDE FURNITURE LICENSE**

Inspected by: Board of Health

## Building

## Planning

ADA

Comments by each Division or Department:



Town of Arlington  
Department of Health and Human Services  
Office of the Board of Health

27 Maple Street  
Arlington, MA 02476

Tel: (781) 316-3170  
Fax: (781) 316-3175

To: Board of Selectmen  
From: Natasha Waden, Health Compliance Officer  
Date: April 13, 2017  
RE: Café Outdoor Seating Permit Renewals

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Please accept the following as comments from the Office of the Board of Health regarding Permit Renewals for Café Outdoor Seating at Ristorante Olivio, Barismo Inc., and Gail Ann

- The Establishment must prohibit smoking and and the use of e-cigarettes in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or by using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of two hundred dollars (\$200.00) for each day of the violation.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

COMMISSION ON DISABILITY, TOWN OF ARLINGTON  
20 ACADEMY STREET, SUITE 203, ARLINGTON, MASSACHUSETTS 02476-6436 (781) 316-3431



MEMO TO: Board of Selectmen  
Adam Chadelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs *JJ*

DATE: April 18, 2017

RE: Ristorante Olivio Sidewalk Café' Permit

It appears from the attached diagram and a completed survey of the sidewalk in front of **Ristorante Olivio, 201 Mass. Ave.** that all conditions pertaining to accessibility of sidewalk dining are in compliance with ADA Architectural Guidelines and Massachusetts Architectural Access Board regulations.

In order to be in compliance with regards to sidewalk dining the absolute minimum clear path of travel along the sidewalk must be at least 36" excluding curb stones and at least 36" between tables according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Guidelines. The Arlington Commission on Disability has a preference for a 48" clear path of travel. Possible obstructions on the sidewalk that could affect compliance after permitting that will need to be watched are location of tables, chairs, other furniture, trees, trash receptacles, fire hydrants, planters, sandwich boards, etc. In addition a portion (5%), but not less than one, of available seating must be wheelchair accessible. The Disability Commission recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to restaurants providing training for all their restaurant staff to ensure that accessibility is maintained after the permitting process.

**BOARD OF SELECTMEN**  
**RENEWAL - INSPECTION REPORT**

**REPORT IS REQUIRED FROM EACH DEPARTMENT BY APRIL 5, 2017**

Location: 201 Massachusetts Ave.  
Applicant's Name: Angelo DiGirolamo  
D/B/A: Ristorante Olivio  
Telephone: 781-648-2300  
Department: Sent Interoffice Mail & E-mail Date: 3-23-17

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**MEETING DATE: APRIL 10, 2017**

Departments:

**Re: Sidewalk Café Permit**

Police

Fire

Board of Health

Building

Planning – Ali Carter, Economic Development Coordinator

Comments by each Division or Department:

The proposed outdoor seating for this business consists of 6 tables and 24 seats in a cordoned space separated from the business's façade by a pedestrian travel corridor that measures 4 feet. The outdoor seating area is sufficiently buffered.

The Department of Planning and Community Development has no objection to the issuance of a sidewalk café permit to the Applicant.

Any changes in signage, including signs in the window, and changes to the facade of the building are subject to review by this department. The applicant is reminded that all signs, including re-lettering of the existing signs require a permit issued by the Building Department. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

---

Applicant Section:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: \_\_\_\_\_

Date: \_\_\_\_\_

**From:** "Ken McConnell" <KMcConnell@town.arlington.ma.us>  
**To:** "MaryAnn Sullivan" <MSullivan@town.arlington.ma.us>  
**Date:** 04/13/2017 08:25 AM  
**Subject:** Re: Reminder: Inspection Reports needed Wednesday 4/19

---

Maryann, Building has no issues with Olivo s-Barismo-Gail Ann-Twyrl has seating issues Ken

# Sidewalk Café Permit Application - Town of Arlington, MA

This is an application to the Board of Selectmen of the Town of Arlington Massachusetts, for a permit to place and maintain a Sidewalk Café (an outside seating area for licensed restaurants) on the public right of way in Arlington, Massachusetts described below:

RECEIVED  
SELECTMEN'S OFFICE  
ARLINGTON, MA 01747  
10/10/2021  
\$50 OK # 8845

## (PLEASE TYPE OR PRINT)

Business Name:

RISTORANTE OLIVIO

Length of Storefront (ft):

60 feet

Width of Sidewalk along Storefront (ft); \*1:

18 feet

Length of Proposed Sidewalk Café (ft):

30 feet

Width of Proposed Sidewalk Café (ft); \*2:

14 feet

Business Address/Location:

201 MASSACHUSETT AVENUE Arlington MA

Phone Number/Email: 781-648-2300  
info@ristoranteolivio.com

Business Representative's Name:

Angelo Di Girolamo

Name & Address of Building Owner:

Mr. David Epstein 266 Bishops Forest Drive Waltham MA 02452

\*1: Measure from front Building Wall to inside of sidewalk granite curb edge.

\*2: Measure from front Building Wall to outside of Sidewalk Café surrounding border fencing/barrier.

## Application Submittal Requirements:

### 1.) Fee:

An annual permit fee of **\$50.00** payable to the Town of Arlington filed with the Selectmen's Office. The Board may prorate its fee for applicants in their initial term to reflect the number of months the permit sought will be held.

### 2.) Site Plan:

Furnish a **Site Plan** (scale diagram) showing the location of tables, chairs, umbrellas, trash receptacles, heaters, barricades, as well as a **picture or photograph of the proposed furniture** in compliance with the following requirements:

- No person or entity shall cause to be placed within the public ways any furniture without applying for a permit and receiving approval from the Board of Selectmen of the Town. This permit shall be considered separate and distinct from others issued by the Town, including those for common victuallers.
- Ordinarily, the location of the sidewalk café must be directly in front of the business operating the café, and may not extend beyond the side property lines. It shall be sited as close to the building façade as practicable and in no event to exceed twelve (12) feet from the food service door of the establishment.
  - Under limited circumstances, sidewalk café areas may be approved adjacent to a storefront, grouped at a distance from the storefronts, or allowed in both positions if a scaled plan showing dimensions clearly establishes:

- a) The requested location(s) create the least obstruction for pedestrian access to storefronts, crosswalks and pedestrian circulation, and/or
- b) the location does not extend substantially beyond the side edges of the business (allowing for up to 10 feet of latitude where landscaping, public facilities, utility poles or adjacent seating areas obstruct the front of the business premises), and/or
- c) no more than 256 square feet of the public way would be cordoned off for establishments serving liquor unless the Board determines from the scaled site plan (with dimensions shown) and photos that additional square footage for outdoor seating would not leave less than 36" to the nearest barrier, would not impede circulation, and would not preclude other allowed desirable uses for the public space, and
- d) in every case, the additional seating does not violate zoning, building, or other code as determined by the Director of Inspectional Services.

- Further, Tables, chairs, benches, food equipment shall be located so that they do not impede, endanger or interfere with pedestrian traffic, with a minimum width of three (3) feet and a recommended width of four (4) feet of unobstructed passage for pedestrian traffic.
- In addition, no sidewalk café furniture shall be affixed, erected, installed, placed, used or maintained **within five (5) feet** of any marked or unmarked crosswalk or handicapped ramp; or within five (5) feet of any fire hydrant, fire lane, call box, or bus stop.
- Unlicensed furniture within the public ways of the Town will be subject to removal with the cost thereof to be borne entirely by the owner. In addition, fines may be imposed by the Board of Selectmen not to exceed \$100 for removal, storage or destruction.
- No fixtures or devices on which food or beverages are sold or consumed shall be attached to the sidewalk or other public area. The property owner is responsible for the restoration of the sidewalk or public-right-of-way if any damage is caused by the sidewalk café. Physical barriers bordering/framing a sidewalk café may not exceed four (4) feet in height.
- Lighting for sidewalk cafes is subject to approval during the permitting process. Tabletop lighting may include candles and battery-operated fixtures.
- Well-designed physical barricades surrounding/framing sidewalk cafés are **strongly encouraged**.

 3.) **Insurance:** The applicant restaurant-owner shall furnish a **certificate of insurance** providing commercial insurance coverage for bodily injury, death, disability, and property damage liability in the following amounts:

- **At least \$1,000,000 per occurrence and \$3,000,000 annual aggregate for any restaurant serving alcohol as part of its use of sidewalk café space; or**

- At least \$300,000 per occurrence and \$900,000 annual aggregate for restaurants which are either not licensed to serve alcohol or restaurants which attest that they will not serve alcohol as part of their use of sidewalk café space.

The Town of Arlington shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of a sidewalk café. In the event the insurance is cancelled, the permit holder has 24 hours to reinstate the insurance or the permit shall be revoked. The permit holder shall immediately inform the Selectmen's Office if insurance under this provision is revoked and shall not operate the sidewalk café until insurance is restated in accordance with this requirement. An insurance certificate naming the Town as an additional insured must be provided to the Office of the Board of Selectmen before any Sidewalk Café/Outdoor Seating Area will be issued.

4.) Indemnification and Acknowledgement of Rights: The applicant restaurant-owner shall also furnish a signed agreement to indemnify the Town of Arlington for its use of public property as a sidewalk café/outdoor seating from any and all claims that may be brought against the Town in connection with such use. Such a signed agreement shall also acknowledge the Town's rights with respect to its property and the limitations of the permit (attached hereto).

5.) Compliance Requirements: By signing this application, the Applicant agrees to accept and comply with the following requirements:

- All services provided to sidewalk café customer and customer activity must occur within the designated sidewalk café area.
- Permit holder is responsible for proper supervision of the sidewalk café in order to ensure the requirements of this section are met.
- Permit holders must ensure that the requirements for operation are met. These include:
  - Patrons must wear shoes and shirts at all times.
  - All sidewalk cafes must maintain at least one opening for ingress and egress at all times. All sidewalk cafes shall abide by all requirements of the currently adopted International Building Code and the American's with Disabilities Act.
  - To the extent applicable, sidewalk cafes must adhere to all regulations pertaining to food and beverage enforced by the Board of Health and Board of Selectmen.
  - All areas within and surrounding a sidewalk café must be maintained in a clean, neat, and sanitary condition.
  - All permit holders shall be required to abide by all federal, state, and local laws.
  - Outdoor alcohol service (and food service when alcohol is served outdoors) shall conclude at or before 10:00 p.m. Sunday through Thursday, and at or before 11:00 p.m. Friday and Saturday.

6.) Other Regulations: By receiving a sidewalk café/outdoor seating permit, restaurants are not exempted from other federal, state, and local laws and regulations. Among other regulations, permit holders must comply with local zoning and state building code requirements and Board of Selectmen alcohol service regulations. Applicants are strongly advised to ensure their plans comply with zoning and state building requirements by contacting Inspectional Services.

7.) Revocation: The sidewalk café permit may be revoked for failure to maintain the standards required for the initial permit. A notice of intent to revoke a sidewalk café permit shall be given in writing 10-days prior to actual revocation and shall specify the area or areas of failure to meet requirements and maintain conditions the Town may have imposed. If, during that period, proof of compliance is made to the satisfaction of designated Town Inspectors by the holder of the permit, the permit shall be continued in force.

- Applicant certifies that all current property taxes due on its licensed premises are paid if property is owned by the Applicant.
- Applicant agrees to permit the Town to periodically verify the accuracy of information contained in this Application and agrees to provide information requested to verify the accuracy of the information and the Certifications contained in this Application.

8.) Term & Non-Transferability: Each Sidewalk Café Permit is valid for one calendar year from the January 1<sup>st</sup> through December 31st and is non-transferable.

I have read and fully understand the above rules and regulations applying to the approval of this permit.

Dated 3-21, 2017

By: \_\_\_\_\_

Angelo Di Girolamo  
(Signature)

(Print Name & Address) ANGELO Di GIROLAMO 201 MASS. AVE. ARLINGTON MA 02474

#### NOTE:

No sales or consumption of any alcoholic beverages can be allowed by the license holder in the patio area unless and until the changes to their location are approved by both the LLA, the ABCC and a new amended license (with the approved changes added to the description of premises) is issued.

Go to: [www.mass.gov/abcc](http://www.mass.gov/abcc) website for the ABCC application - Alteration of Premises and return with this application.

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON

**SIDEWALK CAFÉ INDEMNIFICATION AGREEMENT & ACKNOWLEDGEMENT**

On behalf of the business applying for a Sidewalk Café (Outdoor Seating) license from the Town of Arlington Board of Selectmen, I, as a duly authorized agent of RISTORANTE OLIVIO, a licensed restaurant operating within the Town of Arlington, acknowledge that I seek permission to use a portion of the public sidewalk in front of (or where permitted, adjacent to) the business premises to operate a sidewalk café/outdoor seating area. I understand that a Sidewalk Café permit does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

Furthermore, I, as a duly authorized agent of Ristorante Olivo, agree to hold harmless the Town of Arlington, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

I understand that Board of Selectmen and/or any government agency with jurisdiction may revoke my permit to use public sidewalk space at any time for any reason whatsoever. The permit can be revoked for failure to comply with any terms and conditions of the permit or any agreements between my business and the Town of Arlington or for violation of any of the rules and regulations enforced by Board of Selectmen, the Department of Inspectional Services, the Police Department, or the Board of Health. I understand there will be no refund of any fees or compensation paid to the Town of Arlington.

I further agree to promptly remove any property placed on the sidewalk space or reimburse the Town of Arlington for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

I certify that I have read and agree with the terms and conditions outlined both here and within the Sidewalk Café Permit Application.

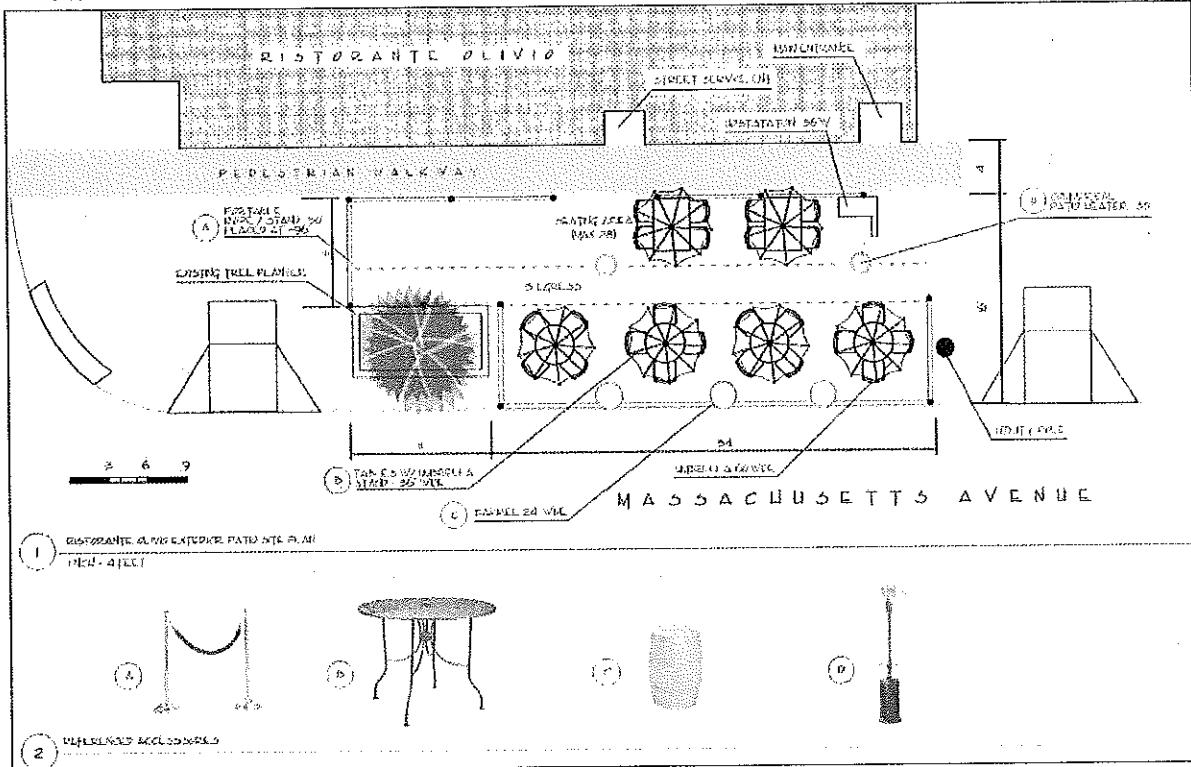
Signature

A handwritten signature in black ink, appearing to read "Bruce W. P. Geller".

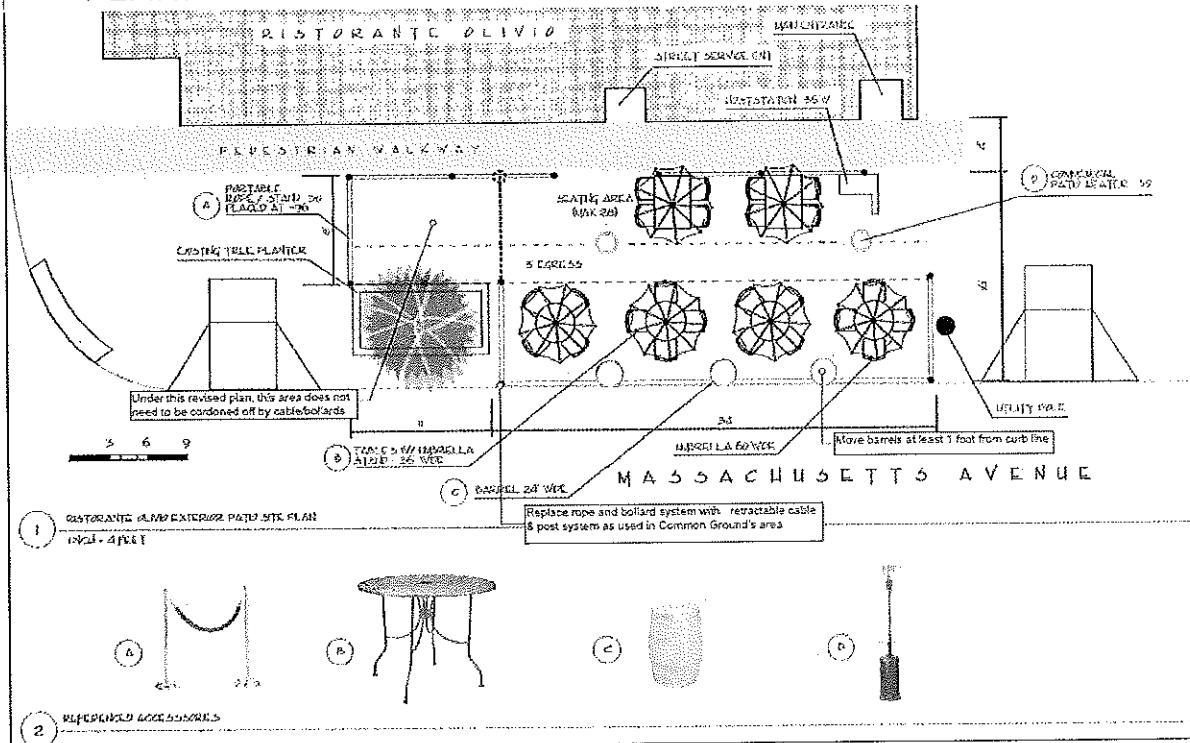
Date

3-21-17

## RISTORANTE OLIVIO - SIDEWALK CAFÉ PROPOSAL, 8.13.2015



## PLANNING DEPARTMENT RECOMMENDATIONS, 8.13.2015



RISTORANTE OLIVIO

## MAIN ENTRANCE

STREET SERVICE ENT.

HOST STATION 36W

P E D E S T R I A N W A L K W A Y

PORTABLE  
ROPE / STAN  
PLACED AT

## EXISTING TREE PLANTER

3 EGRESS

SEATING AREA  
(MAX 28)

COMMERCIAL

This technical drawing shows a vertical section of a building's exterior. A vertical line on the right is labeled 'UTILITY POLE'. A horizontal line at the top is labeled '91'. A horizontal line at the bottom is labeled '11'. A dashed vertical line on the left is labeled '3 ECKLES'. The facade features four circular decorative elements arranged vertically. The top two are labeled '34' and the bottom two are labeled '35'. The bottom-most decorative element is shaded with cross-hatching. The drawing also includes a small rectangular opening at the bottom left and a small circle at the top left.

6

TABLES IV/IV

UMBRELLA 60" VIDE

UMBRELLA 60'WIDE

2005 EXECUTIVE BATH SITE B ANALYSIS

1. *Thymus* (1960)

Diagram C is a cross-sectional view of a biological structure. It features a central vertical axis with a circular base. A wavy line extends from the right side of the base. A circled 'C' is positioned at the top center of the diagram.

1

6

4

100 ACCESSORIES



## **Town of Arlington, Massachusetts**

---

### **For Approval: KENO To Go Monitor**

#### **Summary:**

A & A Market, 1042 Massachusetts Avenue

#### **ATTACHMENTS:**

Type	File Name	Description
<input type="checkbox"/> Reference Material	A_A_Keno_4.17.pdf	The Lottery request



# Massachusetts State Lottery Commission

DEBORAH B. GOLDBERG  
*Treasurer and Receiver General*

MICHAEL R. SWEENEY  
*Executive Director*

April 5, 2017

Arlington Board of Selectmen  
730 Mass Avenue  
Arlington, MA 02476

Dear Sir/Madam:

The Massachusetts State Lottery is offering a KENO monitor to existing KENO To Go agents to display the game at their location. In accordance with M.G.L. c 10, section 27A, as amended, you are hereby notified of the Lottery's intent to install a monitor at the following KENO To Go agent(s) in your community:

A & A Market  
1042 Mass Ave  
Arlington

If you object to these agent(s) receiving a monitor, you must do so, in writing, within twenty-one (21) days of receipt of this letter. Please address your written objection to Carol-Ann Fraser, General Counsel, Legal Department, Massachusetts State Lottery Commission, 60 Columbian Street, Braintree, MA 02184. Should you have any questions regarding this program or any other issues relative to the Lottery, please call me at 781-849-5555. I look forward to working with you as the Lottery continues its' efforts to support the 351 cities and towns of the Commonwealth.

Sincerely,

Michael R. Sweeney  
Executive Director

Certified Mail – Return Receipt Requested:  
7001 2510 0004 1228 9165



*Supporting the 351 Cities and Towns of Massachusetts*

60 Columbian Street • Braintree • Massachusetts • 02184-1738 • Tel: 781-849-5555 • Fax: 781-849-5547 • TTY: 781-849-5678 • [www.masslottery.com](http://www.masslottery.com)



## Town of Arlington, Massachusetts

---

### Appointment of New Election Worker: (1) Susanne Olson, 63 Overlook Road, D, Pct. 20

#### Summary:

#### ATTACHMENTS:

Type	File Name	Description
<input checked="" type="checkbox"/> Reference Material	Olson_Master_Record_(2).pdf	Master Record

## ELECTION WORKER'S MASTER RECORD

Date: 4/1/17

Check One:  New Employee

Change to Existing Employee

Vendor #		Position	<u>INSPECTOR</u>
Name:	<u>SUSANNE OLSON</u>	Democrat	<input checked="" type="checkbox"/>
Address:	<u>63 Overlook Road</u>	Republican	
		Unenrolled	
Zip Code	<u>02474</u>	Precinct	<u>80</u>
Alpha/ Last Name		Phone #	

Position Codes:	10 – Warden	60 – Deputy Clerk
	20 – Deputy Warden	70 – Teller
	30 – Inspector	80 – Substitute
	40 – Deputy Inspector	90 – Custodian
	50 – Clerk	



## Town of Arlington, Massachusetts

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### **Request: Common Victualler License, Wine & Malt License and Sidewalk Cafe Permit**

#### **Summary:**

Shockwave LLC d/b/a Twyrl, 315 Broadway  
Christopher Furlong and Anka Bric, LLC Members  
Attorney John D. Leone

#### **ATTACHMENTS:**

Type	File Name	Description
<input checked="" type="checkbox"/> Reference Material	ref_Mat_#2_4.24.17_Twyrl.pdf	application & inspection packet

## LICENSE APPLICATION REPORT

Type of License: Common Victualler and Wine & Malt Licenses

Name of Applicant: Twyrl - Christopher Furlong and Anka Bric/Co-Owners

Address: 315 Broadway

The following Departments have no objections to the issuance of said license:

- Police   x
- Fire
- Health
- Building
- Planning

The following Departments have no objections but have made comments or conditions regarding the issuance of said license: (see attached)

- Police
- Fire   x
- Health   x
- Building   x
- Planning   x

The following Departments have objections to the issuance of said license:  
(see attached)

- Police
- Fire
- Health
- Building
- Planning

# ARLINGTON POLICE DEPARTMENT

**Frederick Ryan**  
Chief of Police



POLICE HEADQUARTERS  
112 Mystic Street  
Telephone 781-316-3900

*Town of Arlington*  
MASSACHUSETTS 02474

April 3, 2017

On Monday, April 03, 2017 at 3:10 PM, I called and spoke with Christopher Furlong regarding this application for a Common Victualler and Beer and Wine License for the Twyrl, located at 315 Broadway. Mr. Furlong stated that he is opening this restaurant in the existing space available. Mr. Furlong stated that he will be serving Beer and Wine and will be having outside seating. Mr. Furlong stated that he is hoping for a June 1<sup>st</sup> opening for the restaurant.

I advised Mr. Furlong that the Board of Selectmen may be conducting C.O.R.I and S.O.R.I checks during the application process.

Pending the checks conducted by the Board of Selectmen's Office, Arlington Police Dept. is not aware of any law enforcement or public safety reasons to object to the Common Victualler and Beer and Wine License for the Twyrl.

Respectfully Submitted,

Detective Edward DeFrancisco

*"Proactive and Proud"*



## Arlington Fire Department Town of Arlington

Administrative Office

411 Massachusetts Ave, Arlington, MA 02474

Phone: (781) 316-3803 Fax: (781) 316-3808

Email: [jkelly@town.arlington.ma.us](mailto:jkelly@town.arlington.ma.us)

John R Kelly  
Deputy Fire Chief

315 Broadway

Checklist for food sales ownership conversion.

- All exit signs and emergency lights must be tested and in good working order
- FACP must have annual test paperwork on hand and be free of trouble and alarm signals
- Sprinkler system (if present) shall have current inspection tag
- All extinguishers must be hung with signs and a current inspection tag
- "K" extinguisher mounted and tagged in the kitchen area if using fat to cook
- All exits and exit paths must be in proper working order and free from storage
- No storage of excess combustibles allowed inside building or near exit ways
- Hoods must have current inspection/cleaning sticker attached
- Kitchen extinguishing systems must have current inspection tags
- If Ansul or Sprinklers present FACP must report to monitoring company
- Address must be clearly visible from the street
- Electrical panels must be accessible from floor to ceiling for the entire width
- Call for inspection after all has been completed 781-316-3803



**Town of Arlington**  
**Department of Health and Human Services**  
**Office of the Board of Health**

27 Maple Street  
Arlington, MA 02476

Tel: (781) 316-3170  
Fax: (781) 316-3175

**MEMO**

To: Board of Selectmen  
From: Natasha Waden, Health Compliance Officer  
Date: April 13, 2017  
RE: Board of Health Comments for Selectmen's Meeting on Monday April 24, 2017

---

Please accept the following as comments from the Office of the Board of Health:

**Twyrl - 315 Broadway**  
**Common Viticullar License**

- The applicant has not submitted a plan review application or the necessary documents for review to the Office of the Board of Health.
- A Food Permit will not be issued until a completed plan review application with all documents have been submitted, plans have been approved, and a final inspection of the Establishment has been conducted by this Office.

**Outdoor Furniture**

- The applicant must ensure that smoking and the use of e-cigarettes is prohibited in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or thereby using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of (a) \$100 for the first violation, (b) \$200 for a second violation occurring within two years of the date of the first offense; and (c) \$300 for a third or subsequent violation occurring within two years of the second violation. Each calendar day on which a violation occurs shall be considered a separate offense.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

**BOARD OF SELECTMEN  
TOWN OF ARLINGTON – INSPECTION REPORT**

Report is Due at the office of the Board of Selectmen by, 4/19/2017

**ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.**

Location: 315 Broadway  
Applicants Name: Christopher Furlong  
D/B/A: Twirl  
Telephone: 617 699-4006  
Department: Sent E-mail

Date: 3/27/2017

Report Filed By: Michael F. Byrne, Director of Inspectional Services  
Vincent Lee, Inspector of Wires  
Kenneth McConnell, Inspector of Plumbing & Gasfitting

Departments:

Fire  
Police  
Board of Health  
Building, Wiring, Plumbing

Re: **COMMON VICTUALLER LICENSE  
and BEER & WINE LICENSES**

**Building**

All building changes need permits.

All sign changes need approval and sign permit.

Window signs cannot exceed 25% of window or fines will be levied.

Certificate of Occupancy is needed -\$100 fee.

The Director of Inspectional Services has no objection to the issuance/ renewal of this license as the applicant has been made aware of seating capacity and necessity for showing proof of ownership of sidewalk

**Plumbing**

The Inspector of Plumbing and Gasfitting has no objection to the issuance/ renewal of this license.

All plumbing and Gasfitting work requires that the permits be obtained from this office for their respective trades by licensed contractors.

**Electrical**

The Inspector Wires has no objection to the issuance/ renewal of this license.

The applicant acknowledges that this is a conditional approval of the premises only and is not to be construed as approval by the Inspector of Wires of concealed electrical wiring. Any new wiring must conform to the Mass. Electrical Code. Notify the Inspector of Wires in accordance with Chapter 143, Section 3L.

I have received the above report and knowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicants risk.

Applicant's Name: Ch. Feely

Date: 4-21-17

**BOARD OF SELECTMEN  
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by 4/19/17  
**ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.**

Location: 315 Broadway  
Applicant's Name: Christopher Furlong  
D/B/A: Twyrl  
Telephone: 617-699-4006  
Department: Sent Interoffice Mail & E-mail

Date: April 18, 2017

---

Meeting Date: 4/24/17

**Re: COMMON VICTUALLER LICENSE**

Police  
Fire  
Board of Health  
Building  
Planning

Comments by Allison Carter, Economic Development Coordinator, Department of Planning and Community Development:

The proposed business is at the former location of the Madrona Tree restaurant located at 315 Broadway. It is located in a B3 Zoning District, which is a village business district. This is an appropriate use for this location.

The Department has no objection to the issuance of a Common Victualler license or a Beer and Wine license to this business.

Any changes in signage, including signs in the window, and changes to the façade of the building may be subject to review by this Department. The Applicant is reminded that all signs, including re-lettering of the existing signs require a permit issued by the Building Department. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

---

**APPLICANT SIGNATURE SECTION:**

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: Christopher Furlong Date: 4-18-17

**OFFICE OF THE BOARD OF SELECTMEN**

730 Massachusetts Avenue

Town of Arlington

Massachusetts 02476-4908

(781) 316-3020

(781) 316-3029 fax

**\$60.00 Filing Fee**

**APPLICATION**

**COMMON VICTUALLER LICENSE**

**FOOD VENDOR LICENSE (Take Out Only)**

**You must complete an application packet from the Board of Health Department located at 27 Maple St.**

**You must have the completed application reviewed by the Inspections Department located at 51 Grove St. before filing this application with this office**

Location 315 Broadway

Name of Applicant \_\_\_\_\_

Corporate Name (if applicable) Shockwave, LLC

D/B/A TW YRL

Date March 17, 2017

I/We hereby agree to conform in all respects to the conditions governing such License as printed in the By-Laws of the Town, and such other rules and regulations as the Selectmen may establish. With the signing of this application, the applicant acknowledges that:

(A) it is understood that the Board is not required to grant the license.

(B) no work is to commence at the premises of the proposed location which is the subject matter of this application until the license is approved by the Board of Selectmen, and, furthermore, any work done is done at the applicant's risk, and

(C) in the event of a proposed sale of a business requiring a Common Victualler License, an application for a transfer of said license will be deemed to be an application for a new license (subject to the rules and regulations herein contained), and the owner of such business shall be required to file with the Board of Selectmen a thirty day notice of his intention to sell same before such application will be acted upon by the Selectmen.

(D) that the license is subject to revocation if the holder of the license does not comply with Town By-Laws or the Rules and Regulations of the Board.

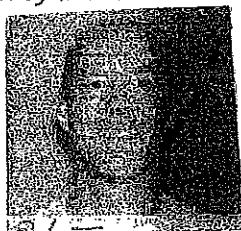
Signature Name Ch. Furlong

Signature Name A. Furlong

Phone: 617-699-4006 Email: furlong37@gmail.com

Note: (A) If a corporation, state full names and addresses of principal officers.  
(B) If a co-partnership, information must be provided on each partner; if a corporation, information must be provided on corporate officer making application.

Name	Christopher Furlong	Name	Anka Bric				
Address	31 Franklin Road	Address	38 Elmwood Road				
City	Winchester	Zip	01890	City	Needham	Zip	02492
DESCRIPTION OF APPLICANT				DESCRIPTION OF APPLICANT			
Born in the U.S., Yes	<input checked="" type="checkbox"/>	No		Born in the U.S., Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Born Where	Salem, MA			Born Where	Ljubljana, Slovenia		
Date of Naturalization				Date of Naturalization			
Male or Female	Male			Male or Female	Female		
Date of birth	[REDACTED]			Date of birth	[REDACTED]		
Height	5 ft. 10 in.			Height	5 ft. 8 in.		
Weight	170			Weight	140		
Complexion	White			Complexion	White		
Hair	Black	Eyes	Brown	Hair	Brown	Eyes	Brown
Mother's Name	Brodbine			Mother's Name	Nada Mrakovcic Bric		
Father's Name	Robert J. Furlong			Father's Name	Leopold Bric		
Wife's Maiden Name	Bric			Wife's Maiden Name			
Photo	[REDACTED]						



*The Establishment shall operate as:*

Sole Ownership  Partnership  Total Number of Partners  Corporation Based in Massachusetts  
**(Once approved, please go to Clerk's Office for Business Certificate)**

**Corporate Information Required:**

President	Christopher Furlong, 31 Franklin Road, Winchester, MA 01890	
Secretary	Anka Bric, 38 Elmwood Road, Needham, MA 02492	
Treasurer	Anka Bric, 38 Elmwood Road, Needham, MA 02492	
Name	Address	Zip

## INFORMATION RELATIVE TO APPLICATION

Breakfast \_\_\_\_\_

Yes  No \_\_\_\_\_

Lunch \_\_\_\_\_

Yes  No \_\_\_\_\_

Dinner \_\_\_\_\_

Yes  No \_\_\_\_\_

Do you own the property? Yes  No  Tenant At Will \_\_\_\_\_ Lease 5 years

### Hours of Operation:

Every Day 10:00 a.m. to 11:00 p.m. Hours \_\_\_\_\_

Day \_\_\_\_\_ Hours \_\_\_\_\_

Day \_\_\_\_\_ Hours \_\_\_\_\_

Floor Space 1100 Sq. Ft. Seating Capacity (if any) 19

Parking Capacity (if any) none spaces Number of Employees 2

### List Cooking Facilities (and implements)

Griddle, Range, Steam Table, Deli Slicer, Pasta Maker

\_\_\_\_\_

Will a food scale be in use for sale of items to the public? Yes  No

Will catering services be provided by you? Yes  No \_\_\_\_\_

### *A copy of the following items must be submitted with the application:*

- 1 Layout Plan of Facility & Fixtures
- 2 Site Plan (obtained at Bidg. Dept., 51 Grove St.)
- 3 Outside Facade and Sign Plan (dimensions, color)
- 4 Menu
- 5 Maintenance Program

If the facilities are not yet completed, provide estimated cost of work to be done \$ \_\_\_\_\_

### FOR OFFICE USE ONLY

Scheduled Hearing when Application will be presented to Board of Selectmen for approval:

Date \_\_\_\_\_ Time \_\_\_\_\_

Board Action: Approved Yes \_\_\_\_\_ No \_\_\_\_\_

## APPLICANT'S RESUME

### *Food Business Experience of Applicant*

From	2004	to	2007
Employee		D/B/A	East Coast Pizza
Sole Owner	Christopher Furlong	Location	San Diego, CA
Partnership		Type Food	Italian
Corporation		Number of Employees	5

From	to
Employee	D/B/A
Sole Owner	Location
Partnership	Type Food
Corporation	Number of Employees

List any other information that you feel will assist in the review of this application.

Christopher has a safe Serve Certification

### REFERENCES

Bank	Type Account-Personal	Business	<input checked="" type="checkbox"/>
Address	791 Main St.	Phone	781-721-1556
Account Number		Contact	
Personal Reference	Alan Buckler		
Address	81 Highland Ave.	Phone	
Prior Employer	Arlington		
Address		Phone	
Number of years employed		From	
Contact		To	
Other		Position Held	
	Name	Address	

## ***Our Menu***

***Hand made semolina pasta***

***Fine European tomatoes and cheeses***

***Locally sourced and organic meats***

### **Specialty pastas**

***Carbonara:*** Pasta with pancetta, egg, Parmigiano Reggiano and Pecorino Romano

***Diablo turkey:*** Spicy creamy marinara with red pepper and ground turkey

***Bolognese:*** Classic meat sauce with marinara and organic ground beef

### **As you wish pastas**

***Choose a sauce:***

Marinara

Creamy marinara

Diablo

Light Alfredo

Blue cheese

Creamy basil pesto

***Add a meat:***

Molly's Meatballs

Italian fennel sausage

Shredded chicken

Prosciutto

Sundried tomato tofu

***Choose freshly sauteed vegetables:***

Carmelized onions

Peppers

Zucchini

Artichokes

Eggplant

***All pastas served with freshly grated Parmigiano Reggiano and fresh local bakery bread***

**Paninis** made with fresh bakery bread

***With choice of meat, vegetables and cheese***

**Hand-tossed pizzas made to order**

***Variety of toppings as desired***

## ***pasta bar***

***Hand made semolina pasta***

***Fine European tomatoes and cheeses***

***Locally sourced and organic meats***

### **Specialty pastas**

***Carbonara:*** Pasta with pancetta, egg, Parmigiano Reggiano and Pecorino Romano

***Diablo turkey:*** Spicy creamy marinara with red pepper and ground turkey

***Bolognese:*** Classic meat sauce with marinara and organic ground beef

### **As you wish pastas**

***Choose a sauce:***

Marinara

Creamy marinara

Diablo

Light Alfredo

Blue cheese

Creamy basil pesto

***Add a meat:***

Molly's Meatballs

Italian fennel sausage

Shredded chicken

Prosciutto

Sundried tomato tofu

***Choose freshly sauteed vegetables:***

Carmelized onions

Peppers

Zucchini

Artichokes

Eggplant

***All pastas served with freshly grated Parmigiano Reggiano and fresh local bakery bread***

**Paninis** made with fresh bakery bread

***With choice of meat, vegetables and cheese***

**Hand-tossed pizzas made to order**

***Variety of toppings as desired***

**Fresh garden salads**

Mixed greens with peppers, shredded carrots, shredded cabbage, cherry tomatoes, onions, fresh croutons

Add chicken

*All pastas served with freshly grated Parmigiano Reggiano and fresh local bakery bread*

**Crepes, for breakfast or anytime**

Chocolate

Nutella

Strawberries

Bananas

Vanilla cream

Lemon cheesecake filling

Whipped cream

**Drinks**

Soft drinks

Juices

(Beer)

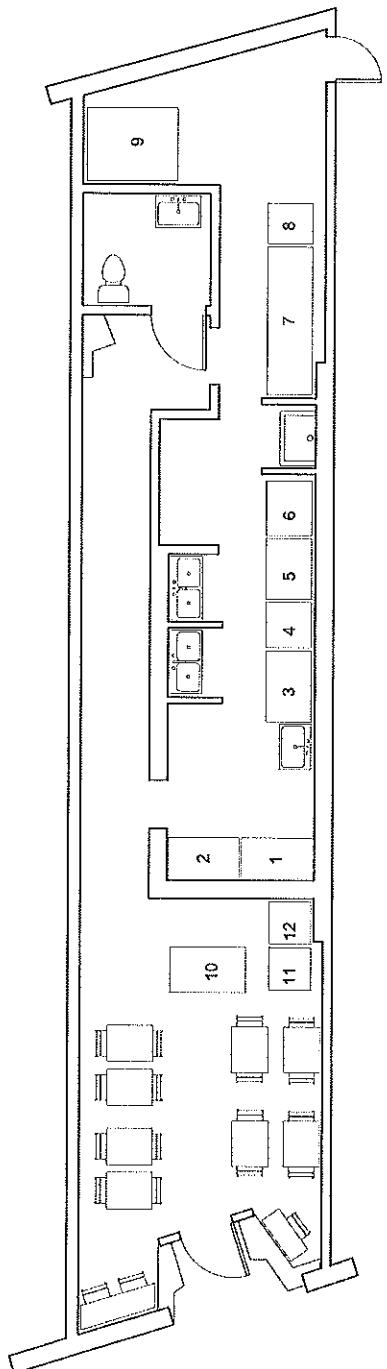
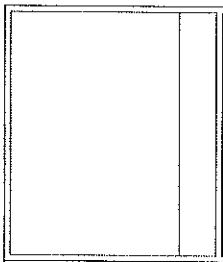
(Wine)

Espresso

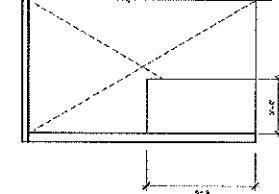
Cappuccino

Fruit smoothies

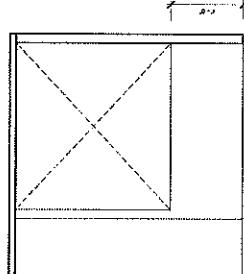
- Before placing your order, please inform your server if a person in your party has a food allergy



1. Griddle
2. Range
3. Steam Table
4. Sandwich Prep
5. Deli Slicer
6. Ice Machine
7. Pasta Maker
8. Freezer
9. Reach In Refrigerator
10. Service Counter
11. Refrigerator
12. Refrigerator



© 2008 DRAUGHTING



© 2008 DRAUGHTING

No.	Description	Date

Date	2-28-07
Date	
Date	
Date	

A101  
On Drawing  
Scale

## Unofficial Property Record Card - Arlington, MA

## General Property Data

Parcel ID 045.0-0005-0008.0  
 Prior Parcel ID 31940 --  
 Property Owner TRITON-ARLINGTON LLC  
 Mailing Address 180 SECOND STREET  
 City CHELSEA  
 Mailing State MA Zip 02150  
 ParcelZoning B3

Account Number 31940  
 Property Location 311 -321 BROADWAY  
 Property Use Store  
 Most Recent Sale Date 6/9/2014  
 Legal Reference 63725-317  
 Grantor CURTIS THOMAS+HADDAD JAMES,  
 Sale Price 99  
 Land Area 0.385 acres

## Current Property Assessment

Card 1 Value	Building Value	Xtra Features Value	Land Value	Total Value
	1,292,300	0	682,000	1,974,300

## Building Description

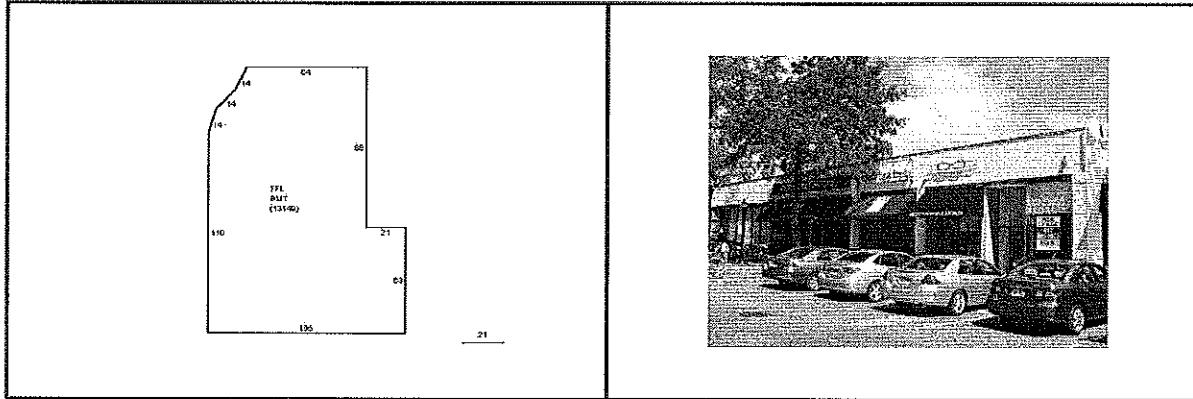
Building Style Store	Foundation Type BrickorStone	Flooring Type Lino/Vinyl
# of Living Units 5	Frame Type Steel	Basement Floor Concrete
Year Built 1930	Roof Structure Flat	Heating Type Forced H/Air
Building Grade Average (+)	Roof Cover Tar & Gravel	Heating Fuel Oil
Building Condition Very Good	Siding Brick	Air Conditioning 100%
Finished Area (SF) 13149	Interior Walls Drywall	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 3
# of 3/4 Baths 0	# of 1/2 Baths 7	# of Other Fixtures 0

## Legal Description

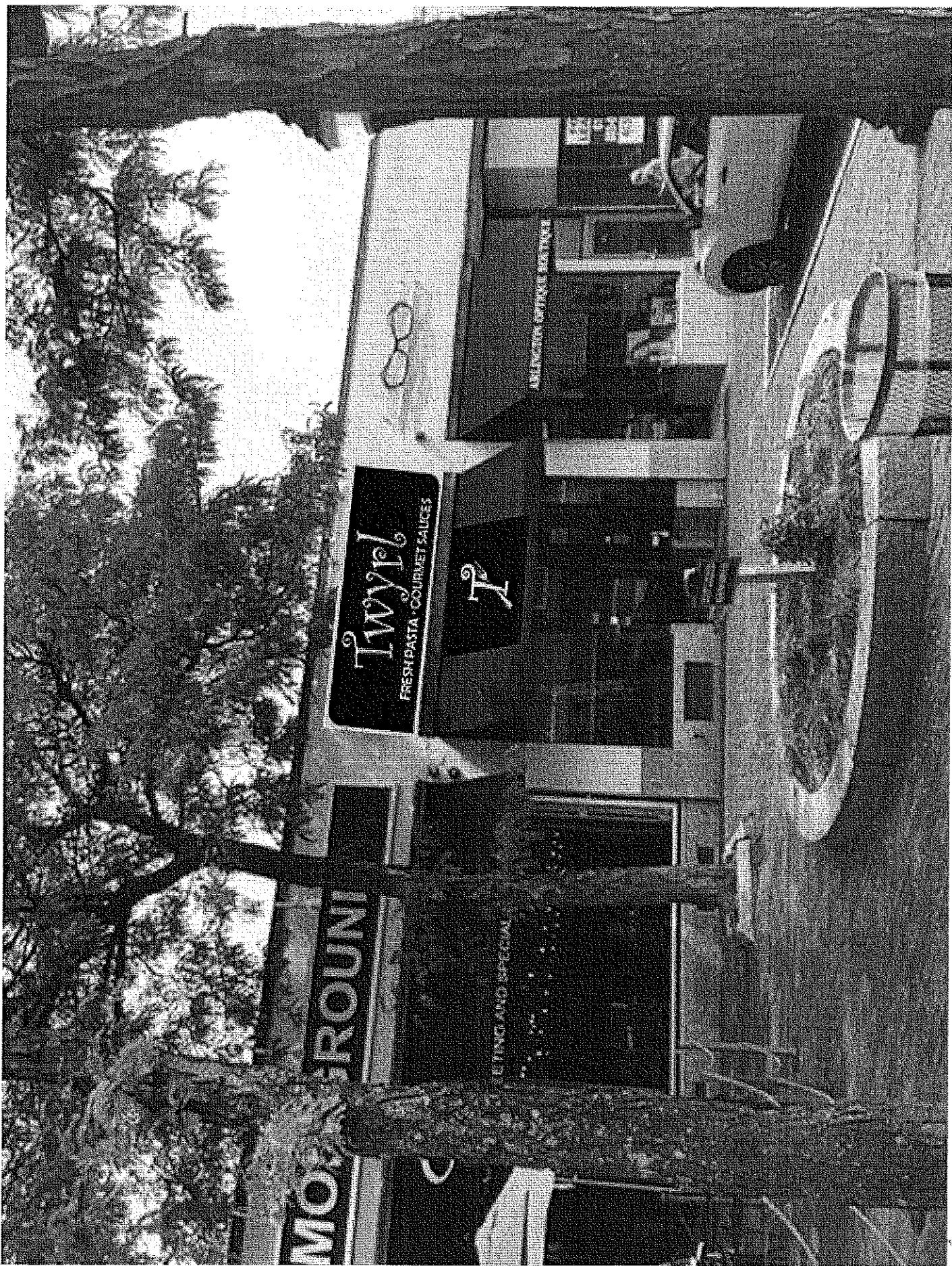
## Narrative Description of Property

This property contains 0.385 acres of land mainly classified as Store with a(n) Store style building, built about 1930 , having Brick exterior and Tar & Gravel roof cover, with 5 unit(s), 0 room(s), 0 bedroom(s), 3 bath(s), 7 half bath(s).

## Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



**TWYRL**  
**MAINTENANCE PLAN**

Trash, refuse and garbage will be stored in a secured dumpster located at the rear of the premises which will be shielded and screened from public view. Refuse removal service will be provided by duly licensed contractors with pick-up as often as necessary, but not less than twice per week and between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday.

A duly licensed contractor will be used to ensure that no pest control issues arise.

The cooking and ventilation equipment will be regularly cleaned in accordance with manufacture instructions and industry recommendations.

The cooking ventilation equipment will be in accordance with the requirements of the Arlington Board of Health and the Redevelopment Board Special Permit,

The kitchen will be kept in the highest state of cleanliness and will be fully cleaned and sanitized nightly.

The floors will be swept and mopped multiple times daily.

The ADS compliant handicapped-accessible bathrooms and all other bathrooms will be cleaned according to the posted routine daily.

The area directly outside the entrance as well as the patio seating/dining area will be monitored to ensure that it is free of debris and/or clutter, cleaned daily, as well as free from snow and ice.

Christopher E. Furlong hold a Food Manager Certificate from ServeSafe.

# CHRISTOPHER E. FURLONG

Winchester, MA  
617-699-4006  
furlong37@gmail.com

---

## A results-driven professional with proven experience

### EXPERIENCE:

#### **East Coast Pizza**, San Diego, CA (2004-2007)

RESTAURANT OWNER – Built, owned and operated a successful retail food business from the ground up. Performed all duties including: head chef, quality control, scheduling, accounting, marketing, merchandising and advertising. Brokered and sold business at a significant profit.

#### **Time Warner Media**, San Diego, CA (2003-2004)

ACCOUNT EXECUTIVE – Supervised \$1.9 million dollars in advertising accounts including advertising for Harrah's Casino. Generated more than \$1 million dollars in new business.

#### **Brubaker Advertising**, San Diego, CA (2000-2002)

CREATIVE DIRECTOR - Wrote, produced and directed radio, television and print ads and infomercials. Supervised placement of media campaigns in six major markets. Produced comprehensive market research studies for automotive sales trends in five major markets. Designed major automobile manufacturer's multi-media, retail sales campaign. Created materials for and managed new business development initiative.

#### **Cox Media**, San Diego, CA (1997-2000)

ACCOUNT EXECUTIVE - Generated more than \$1 million in new business. Sales Person of the Month: April, September 1999; February, March, June 2000. Wrote, produced and directed television commercials including San Diego Padres Baseball campaigns.

### ADDITIONAL EXPERIENCE:

Account Executive - WXTK FM Radio, West Yarmouth, MA

Account Executive – KMCG FM Radio, San Diego, CA

Restaurant Manager – DAKA International, Saugus, MA

Restaurant Manager – Lulu's Alibi, West Hollywood, CA

Retail Store Manager – Hollywood Entertainment, Encinitas, CA

Professional Ski Patrol – Sunday River Ski Resort, Bethel, ME

### EDUCATION:

University Of Massachusetts, Amherst, MA

Bachelor of Arts – English

### INTERESTS:

Skiing, mountain-biking, surfing, hiking, travel, pizza

*References, design-portfolio, commercial demo-reels  
and sales presentation samples upon request*

## SUMMARY

Research investigator with extensive experience in drug discovery, molecular biology, cellular assays and mouse models.

## RESEARCH EXPERIENCE

### NOVARTIS INSTITUTES FOR BIOMEDICAL RESEARCH, Cambridge, MA

2011-present

Projects:

- ◆ **Lab head in Oncology**  
Led programs in drug discovery for oncology targets  
Supervised associates conducting experiments

### PROTEOSTASIS THERAPEUTICS, INC., Cambridge, MA

2009-2011

Projects:

- ◆ **Program leader for cell models of disease**  
Designed and constructed lentiviral-based cell lines of protein-folding and stress pathway diseases.  
Performed low-throughput testing of in-house compounds in disease model cell lines.  
Supervisor for research associate.

Additional responsibilities:

- ◆ **Lab management**  
Instrumental in setting up new lab for tissue culture and biochemistry capabilities.  
In charge of ordering all items for biology lab.

### COLD SPRING HARBOR LABORATORY, Cold Spring Harbor, NY

2002-2008

#### Post Doctoral Fellow

Mentor: Scott W. Lowe, Ph.D

Projects:

- ◆ **Utilizing RNAi to identify tumor suppressors individually and in screens.**  
Performed a successful *in vivo* screen using 2300 shRNAs in a mouse lymphoma model.  
Identified and validated a number of novel tumor suppressors both *in vivo* and *in vitro*.  
Determined mechanism of action for selected genes.

- ❖ **Identifying mechanisms of tumorigenesis in mouse lymphoma models.**  
Determined mechanism of action for point mutants of c-Myc oncogene that renders them highly tumorigenic. Demonstrated the first example of an oncogene that does not require a cooperating mutation.
- ❖ **Analyzing drug response of cells to altered death receptor pathways.**  
Analyzed response of cells with varying genotypes to a number of drugs including TRAIL, TNF and doxorubicin.

Skills:

**Molecular Biology:** shRNA design and testing, cloning, DNA and RNA preparation, PCR, Western blots, flow cytometry analysis

**Cell Culture:** culturing of primary mouse cells, mouse cell lines, human cell lines, transfections and stable viral infections of cells

**Mouse techniques:** tail vein and IP injections, tumor palpation, fluorescence imaging, organ and tumor isolation, tumor preparation and *in vitro* culture, mouse embryo fibroblast and fetal liver cell isolation

**COLORADO STATE UNIVERSITY**, Fort Collins, CO

1996-2002

**Graduate student**

Mentor: Marvin R. Paule, Ph.D.

Projects:

- ❖ Identifying and mapping factors involved in transcription by RNA polymerase I in *Acanthamoeba castellanii*  
Mapped the entire RNA pol I transcription initiation complex and actively transcribing complex on DNA.
- ❖ Collaboration involving mapping transcription factors for RNA polymerase II in yeast

Skills:

**Molecular Biology and Biochemistry:** protein purification by classical methods, DNA and RNA preparation, EMSA, transcription assays, protein mapping assays

**Cell Culture:** culturing of Acanthamoeba and yeast cells

**AWARDS**

Ruth L. Kirschstein National Research Service Award Fellowship 2002-2005.

**TEACHING AND SUPERVISION EXPERIENCE**

Proteostasis Therapeutics, Inc. Supervision of research associate 2009-2010.

Cold Spring Harbor Lab. Supervision of graduate students 2007-2008.

Colorado State University. Teaching assistant for lecture and laboratory classes. 1998-2000.

Colorado State University. Supervision and training of rotation undergraduate students. 2000-2002

- ❖ **Identifying mechanisms of tumorigenesis in mouse lymphoma models.**  
Determined mechanism of action for point mutants of c-Myc oncogene that renders them highly tumorigenic. Demonstrated the first example of an oncogene that does not require a cooperating mutation.
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Colorado State University. Teaching assistant for lecture and laboratory classes. 1998-2000.

Colorado State University. Supervision and training of rotation undergraduate students. 2000-2002

EDUCATION

Ph.D. in Biochemistry and Molecular Biology  
Colorado State University, Fort Collins, CO  
June 2002

Bachelor of Arts, Economics  
University of Massachusetts at Amherst, Amherst, MA  
December 1991

PUBLICATIONS

**Bric A\***, Miething C\*, Bialucha CU\*, Scuoppo C, Zender L, Krasnitz A, Xuan Z, Zuber J, Wigler M, Hicks J, McCombie RW, Hemann MT, Hannon GJ, Powers S, Lowe SW. (2009)  
Functional identification of tumor suppressor genes through an *in vivo* RNA interference screen in a mouse lymphoma model. **Cancer Cell** 16(4):324-35.

\*co-first author

**Bric A\***, Hemann MT\*, Teruya-Feldstein J, Herbst A, Nilsson JA, Cordon-Cardo C, Tansey WP, Lowe SW. (2005)  
Evasion of the p53 tumour surveillance network by tumour-derived MYC mutants. **Nature** 436(7052):807-11.

\*co-first author

Finnberg N, Gruber JJ, Fei P, Rudolph D, **Bric A**, Kim SH, Burns TF, Ajuha H, Page R, Wu GS, Chen Y, McKenna WG, Bernhard E, Lowe S, Mak T, El-Deiry WS. (2005)  
DR5 knockout mice are compromised in radiation-induced apoptosis. **Mol Cell Biol** 25(5):2000-13.

Robinson MM, Yatherajam G, Ranallo RT, **Bric A**, Paule MR, Stargell LA. (2005)  
Mapping and functional characterization of the TAF11 interaction with TFIIA. **Mol Cell Biol** 25(3):945-57.

**Bric A**, Radebaugh CA, Paule MR. (2004)  
Photocross-linking of the RNA polymerase I preinitiation and immediate postinitiation complexes: implications for promoter recruitment. **J Biol Chem** 279(30):31259-67.

REFERENCES UPON REQUEST.



*The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)*

**APPLICATION FOR A RETAIL ALCOHOLIC BEVERAGES LICENSE**

*Please complete this entire application, leaving no fields blank. If field does not apply to your situation, please write N/A.*

**1. NAME OF PROPOSED LICENSEE** (Business Contact)

Shockwave, LLC

*This is the corporation or LLC which will hold the license, not the individual submitting this application. If you are applying for this license as a sole proprietor, not an LLC, corporation or other legal entity, you may enter your personal name here.*

**2. RETAIL APPLICATION INFORMATION**

There are two ways to obtain an alcoholic beverages license in the Commonwealth of Massachusetts, either by obtaining an existing license through a transfer or by applying for a new license.

Are you applying for a new license  New  Transfer or the transfer of an existing license?

If applying for a new license, are you applying for this license pursuant to special legislation?

Yes  No

Chapter

Acts of

If transferring, please indicate the current ABCC license number you are seeking to obtain:

If transferring, by what method is the license being transferred?

**3. LICENSE INFORMATION / QUOTA CHECK**

**On/Off-Premises**

City/Town

Arlington

On-Premises

**TYPE**

S12 Restaurant

**CATEGORY**

Wines and Malt Beverages

**CLASS**

Annual

**4. APPLICATION CONTACT**

The application contact is required and is the person who will be contacted with any questions regarding this application.

First Name: John

Middle: D

Last Name: Leone

Title: Attorney

Primary Phone:

781-648-2345

Email: John@Leonelaw.com

**5. OWNERSHIP** Please list all individuals or entities with a direct or indirect, beneficial or financial interest in this license.

An individual or entity has a direct beneficial interest in a license when the individual or entity owns or controls any part of the license. For example, if John Smith owns Smith LLC, a licensee, John Smith has a direct beneficial interest in the license.

An individual or entity has an indirect beneficial interest if the individual or entity has 1) any ownership interest in the license through an intermediary, no matter how removed from direct ownership, 2) any form of control over part of a license no matter how attenuated, or 3) otherwise benefits in any way from the license's operation. For Example, Jane Doe owns Doe Holding Company Inc., which is a shareholder of Doe LLC, the license holder. Jane Doe has an indirect interest in the license.

- A. All individuals listed below are required to complete a Beneficial Interest Contact - Individual form.
- B. All entities listed below are required to complete a Beneficial Interest Contact - Organization form.
- C. Any individual with any ownership in this license and/or the proposed manager of record must complete a CORI Release Form.

Name	Title / Position	% Owned	Other Beneficial Interest
Christopher E. Furlong	LLC Manager	50%	
Anka Bric	LLC Manager	50%	

For additional space, please use next page

## APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

### 5. OWNERSHIP (continued)

Name	Title / Position	% Owned	Other Beneficial Interest

### 6. PREMISES INFORMATION

Please enter the address where the alcoholic beverages are sold.

#### Premises Address

Street Number:	315	Street Name:	Broadway	Unit:	
City/Town:	Arlington	State:	MA	Zip Code:	02474
Country:	USA				

#### Description of Premises

Please provide a complete description of the premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage.

Floor Number	Square Footage	Number of Rooms
1	1100	1
basement	400	1

Patio/Deck/Outdoor Area Total Square Footage	250
Indoor Area Total Square Footage	1400
Number of Entrances	2
Number of Exits	2
Proposed Seating Capacity	19
Proposed Occupancy	19

#### Occupancy of Premises

Please complete all fields in this section. Documentation showing proof of legal occupancy of the premises is required.

Please indicate by what right the applicant has to occupy the premises

Lease

Landlord Name

Triton Arlington LLC

Lease Beginning Term

Apr 1, 2017

Landlord Phone

617-889-0900

Lease Ending Term

Mar 31, 2022

Landlord Address

397 Main St., Woburn, MA. 01801

Rent per Month

\$2,750.00

Rent per Year

\$33,000.00

If leasing or renting the premises, a signed copy of the lease is required.

If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.

Please indicate if the terms of the lease include payments based on the sale of alcohol:  Yes  No

## APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

### **7. BUSINESS CONTACT**

The Business Contact is the proposed licensee. If you are applying as a Sole Proprietor (the license will be held by an individual, not a business), you should use your own name as the entity name.

\* Please see last page of application for required documents based on Legal Structure \*

Entity Name:	Shockwave, LLC	FEIN:	<input type="text"/>
DBA:	Twyrl	Fax Number:	<input type="text"/>
Primary Phone:	617-699-4006	Email:	<input type="text"/> furlong37@gmail.com
Alternative Phone:	631-434-5765	Legal Structure of Entity	<input type="text"/> LLC

#### **Business Address (Corporate Headquarters)** Check here if your Business Address is the same as your Premises Address

Street Number:	31	Street Name:	Franklin Rd.	
City/Town:	Winchester	State:	MA	
Zip Code:	01890	Country:	USA	

#### **Mailing Address** Check here if your Mailing Address is the same as your Premises Address

Street Number:	P.O. Box 560124	Street Name:	<input type="text"/>	
City/Town:	West Medford	State:	MA	
Zip Code:	02156	Country:	USA	

Is the Entity a Massachusetts Corporation?

Yes  No

If no, is the Entity registered to do business in Massachusetts?

Yes  No

If no, state of incorporation

#### **Other Beneficial Interest**

Does the proposed licensee have a beneficial interest in any  Yes  No other Massachusetts Alcoholic Beverages Licenses?

If yes, please complete the following table.

Name of License	Type of License	License Number	Premises Address
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

#### **Prior Disciplinary Action:**

Has any alcoholic beverages license owned by the proposed licensee ever been disciplined for an alcohol related violation?

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation
<input type="text"/>				
<input type="text"/>				
<input type="text"/>				

## APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

### 8. MANAGER CONTACT

The Manager Contact is required and is the individual who will have day-to-day, operational control over the liquor license.

Salutation	Mr.	First Name	Christopher	Middle Name	E.	Last Name	Furlong	Suffix
Social Security Number			[REDACTED]		Date of Birth			[REDACTED]
Primary Phone:	617-699-4006		Email:			furlong37@gmail.com		
Mobile Phone:			Place of Employment			Shockwave LLC		
Alternative Phone:			Fax Number					

#### Citizenship / Residency / Background Information of Proposed Manager

<p>Are you a U.S. Citizen? <input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>Have you ever been convicted of a state, federal, or military crime? <input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>If yes, attach an affidavit that lists your convictions with an explanation for each</p> <p>Have you ever been Manager of Record of a license to sell alcoholic beverages? <input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>If yes, please list the licenses for which you are the <u>current</u> or <u>proposed</u> manager:</p> <div style="border: 1px solid black; width: 100%; height: 80px; margin-top: 10px;"></div>	<p>Do you have direct, indirect, or financial interest in this license? <input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>If yes, percentage of interest <span style="border: 1px solid black; padding: 2px;">50%</span></p> <p>If yes, please indicate type of interest (check all that apply):</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><input type="checkbox"/> Officer</td> <td style="width: 50%;"><input type="checkbox"/> Sole Proprietor</td> </tr> <tr> <td><input type="checkbox"/> Stockholder</td> <td><input checked="" type="checkbox"/> LLC Manager</td> </tr> <tr> <td><input checked="" type="checkbox"/> LLC Member</td> <td><input type="checkbox"/> Director</td> </tr> <tr> <td><input type="checkbox"/> Partner</td> <td><input type="checkbox"/> Landlord</td> </tr> <tr> <td><input type="checkbox"/> Contractual</td> <td><input type="checkbox"/> Revenue Sharing</td> </tr> <tr> <td><input type="checkbox"/> Management Agreement</td> <td><input type="checkbox"/> Other</td> </tr> </table>	<input type="checkbox"/> Officer	<input type="checkbox"/> Sole Proprietor	<input type="checkbox"/> Stockholder	<input checked="" type="checkbox"/> LLC Manager	<input checked="" type="checkbox"/> LLC Member	<input type="checkbox"/> Director	<input type="checkbox"/> Partner	<input type="checkbox"/> Landlord	<input type="checkbox"/> Contractual	<input type="checkbox"/> Revenue Sharing	<input type="checkbox"/> Management Agreement	<input type="checkbox"/> Other
<input type="checkbox"/> Officer	<input type="checkbox"/> Sole Proprietor												
<input type="checkbox"/> Stockholder	<input checked="" type="checkbox"/> LLC Manager												
<input checked="" type="checkbox"/> LLC Member	<input type="checkbox"/> Director												
<input type="checkbox"/> Partner	<input type="checkbox"/> Landlord												
<input type="checkbox"/> Contractual	<input type="checkbox"/> Revenue Sharing												
<input type="checkbox"/> Management Agreement	<input type="checkbox"/> Other												

Please indicate how many hours per week you intend to be on the licensed premises 60

#### Employment Information of Proposed Manager

Please provide your employment history for the *past 10 years*

Date(s)	Position	Employer	Address	Phone
2004 - 2007	Owner / Operator	East Coast Pizza	2015 San Elijo Ave, Cardiff, CA 92067	760-944-1599

#### Prior Disciplinary Action of Proposed Manager

Have you ever been involved directly or indirectly in an alcoholic beverages license that was subject to disciplinary action? If yes, please complete the following:

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

## APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

## **9. FINANCIAL INFORMATION**

Please provide information about associated costs of this license.

## Associated Costs

A. Purchase Price for Building/Land	0.00
B. Purchase Price for any Business Assets	0.00
C. Costs of Renovations/Construction	\$40,000.00
D. Purchase Price of Inventory	\$ 5,000.00
E. Initial Start-Up Costs	\$10,000.00
F. Other (Please specify)	
G. Total Cost (Add lines A-F)	\$55,000.00

Please note, the total amount of **Cash Investment** (top right table) plus the total amount of **Financing** (bottom right table) must be equal to or greater than the **Total Cost** (line G above).

Please provide information about the sources of cash and/or financing for this transaction

### **Source of Cash Investment**

Name of Contributor	Amount of Contribution
Christopher E. Furlong	\$27,500.00
Anka Bric	\$27,500.00
Total	\$55,000.00

### Source of Financing

## 10. PLEDGE INFORMATION

Are you seeking approval for a pledge?  Yes  No

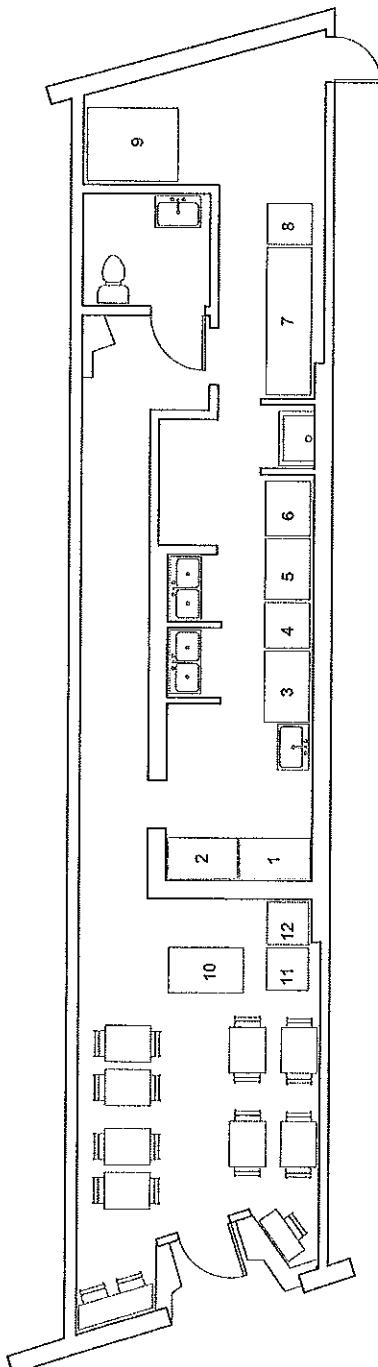
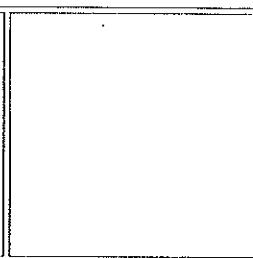
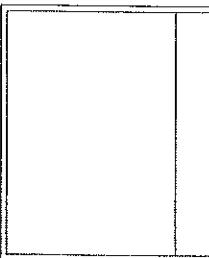
Please indicate what you are seeking to pledge (check all that apply)

License    Stock / Beneficial Interest    Inventory

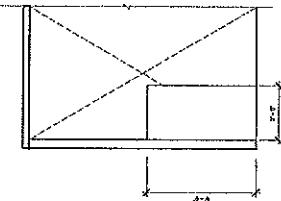
To whom is the pledge is being made:

Does the lender have a beneficial interest in this license?

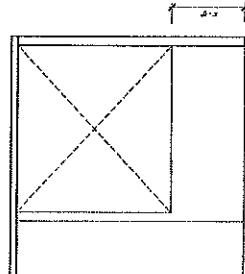
Does the lease require a pledge of this license?  Yes  No



1. Griddle
2. Range
3. Steam Table
4. Sandwich Prep
5. Deli Slicer
6. Ice Machine
7. Pasta Maker
8. Freezer
9. Reach In Refrigerator
10. Service Counter
11. Refrigerator
12. Refrigerator



③ Service Counter



③ Refrigerator

No.	Description	Date

315 Broadway  
Arlington, MA

No.	Description	Date

A101

On Drawings

# **TWYRL**

## **ALCOHOL SERVICE POLICY**

In addition to our commitment to exceptional service and the highest quality cuisine, TWYRL is committed to providing responsible alcohol service. Bartenders and servers are responsible for who they serve and must always be cautious.

It is illegal to serve alcohol to a person under the age of 21, to serve a guest who is or appears to be intoxicated, or to allow a person to become intoxicated on the premises. Anyone who appears to be under 35 years old must be asked for identification before they are served alcohol; serving a guest that is under 21 and/or failure to check the ID of a person that appears to be under age 35 will result in immediate suspension or termination. Before serving alcohol to any guest, the server/bartender must adequately determine, through conversation and/or observation, that the person is not intoxicated. Always notify a manager if you suspect a guest is intoxicated. Serving an intoxicated guest or serving a guest to the point of intoxication is grounds for immediate termination as well.

**Acceptable forms of ID** vary slightly from State to State, but in general the following are valid if they appear to be genuine:

- State-issued driver's license
- State-issued ID card
- Passport
- Military ID

An ID checking guide is kept behind every bar and must be used to verify out-of-state IDs and IDs that are suspected to be fraudulent. Always notify a manager if you are unsure whether an ID is valid and/or genuine.

**When checking IDs**, we must ensure they are valid, genuine and belong to the guest.

**To be valid, an ID** at a minimum must:

- Contain the owner's birthdate
- Be current (not expired)
- Contain the owner's signature
- Contain the owner's photo
- Be intact (lamination is not split or cracked, no bubbles)

**To ensure an ID is genuine:** it must match certain specifications listed in your 7 step ID checking guide, attached, such as:

- Proper text (correct font, properly spaced), and not containing words like 'authentic', 'genuine', 'official', 'novelty'
- Proper images (holograms, ghost photos, etc)
- Proper number of letters/numbers in the license number
- Clear photo
- State-specific information on the back of the ID (not blank)

**To ensure the ID belongs to the guest:**

Compare the photo on the ID to the guest, focusing on features that are less likely to change like their chin, shape of their face and their hairline.

Compare the guest to physical characteristics listed on the ID (height, weight, etc.)

**Be aware of the signs of intoxication:**

Relaxed inhibitions: a guest may be overly friendly, use foul language, become loud, make rude comments or be unfriendly, depressed or quiet.

Impaired judgment: a guest may begin drinking faster or switch to larger or stronger drinks, make irrational or argumentative statements, become careless with money (buy drinks for strangers)

Slowed reaction time: a guest may talk or move slowly, be unable to concentrate, lose their train of thought or become forgetful. They may also become drowsy, glassy-eyed, or unable to focus.

Impaired motor coordination: a guest may stagger, stumble, fall down, bump objects or sway when sitting or standing. They may also slur their speech, spill drinks or drop objects and be unable to pick them up.

**Prevent intoxication by:**

Offering food: this keeps alcohol in the stomach, slowing its absorption into the bloodstream

Offering water: drinking alcohol causes dehydration, making guests thirsty and causing them to drink more than they normally would. Drinking water will off-set this.

Do not serve more than one drink at a time: this will help pace the guest's consumption

**DO NOT SERVE MORE THAN TWO DRINKS TO ANY GUEST WITHOUT TAKING AN ORDER FOR FOOD.**

**The sale of alcohol for off premises use is not allowed:**

The sale of unopen alcoholic beverages for consumption off premise is not allowed in any circumstances.

Any wine left by a guest in an open bottle during service, can be taken off premises by the patron only in the following circumstance and manner. Before permitting the carry out of a bottle of wine employees must:

- 1) Securely reseal the bottle of wine;
- 2) Place the resealed bottle in a one-time-use tamper-proof transparent bag;
- 3) Securely seal the bag; and,
- 4) Affix the receipt that prominently displays the date of the purchase of the meal and the bottle of wine to the sealed bag.

Only one partially consumed bottle of wine per patron may be resealed and removed from the restaurant.

Any wine left by a guest in an open bottle during service that the guest does not wish to take home should be sealed, labeled and used for tasting the following day prior to service or discarded.

- **I have read and understand and will comply with the TWYRL Alcohol Service Policy.**
- **I understand the failure to comply with this policy will be grounds for termination.**

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Manager Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## SEVEN STEP GUIDE TO PROPER ID/VALID COMPLIANCE

1. Accept driver's licenses, state issued identification cards, passports and military identification. All other forms of ID are invalid when attempting to purchase alcohol. If the customer argues, smile and tell them politely that you have no choice. It's the law.
2. Look for the expiration date. An expired ID is no longer valid, and cannot be used to establish legal drinking age.
3. Check the birth date on the ID. If math confuses you, work out the date beforehand. Check the posted date sign that say "You cannot purchase alcohol unless you were born on or before this date in...."
4. Match the face with the picture. Sometimes it's tricky to tell if the person in the picture is the same person who just pulled the card out of their wallet. Hair and even eye color can change, so look at the shape of the face. If you are unsure, look for a detail like whether the ears lobes are attached to the head or dangling.
5. Ask the customer his birth date and the spelling of his name if you are uncertain if the ID is valid. Of course, if the person is underage, she may have memorized the information on her false ID. You can ask the normal questions the underage person might have already memorized such as the address on the ID or the zip code of the ID. But, instead, when you have an ID in your hand, you've verified the date but the photo just isn't right, you should have a couple of "Go To" questions that you know what the response should be.

You don't have to know the correct answer but instead, you want the person who is using a borrowed ID to stop and think about your question, mainly because the question has surprised them and they don't know the answer. So, pick a question that most people would automatically know the answer to such as; "What's your zodiac sign?" or "What high school did you go to?" Again, you don't have to know the answer but you need to understand their answer.

Typically an underage person will start their answer with; "Uhh" or will be very silent. Try this with another employee or friend you know. If they have a brother or sister or a real close friend, just quickly ask them; "What's your sister's zodiac sign?" It's funny but you will automatically see the response you're looking for when you ask the underage person using a borrowed ID.

6. Talk to a manager. If you have checked the ID, asked questions and still are not satisfied that your customer has presented valid identification, give your manager the heads up. Most restaurants understand the importance of serving alcohol responsibly. Even the server can sometimes be held responsible under the law.
7. Compare an out of state ID against a picture in the ID GUIDE. Don't hesitate to politely excuse yourself and check.

## **Frequently Asked Questions:**

Q. How and when do you ask a guest for identification? What forms of proper identification do we accept?

A. Ask anyone who looks under 35 years of age for identification immediately after they order an alcoholic beverage. State ID, driver's license, US passport, Military ID

Q. What do you do if a guest appears intoxicated when they come into the restaurant?

A. Inform your manager. Confirm that they are or are not intoxicated by listening and looking for signs of intoxication (slurred speech lack of coordination, etc.); do not serve any alcoholic beverages if they are.

Q. How do you prevent a guest from becoming intoxicated?

A. Follow ServSafe Alcohol suggestions such as getting the guest to eat (proteins are best) and don't bring another beverage until the existing one is completely finished. Pouring drinks to spec ensures alcohol is not over-poured.

Q. What do you do if you are uncertain if a guest has had too much to drink?

A. Inform your manager and bartender. Check for the tell-tale signs such as slurring, increased loudness unfocused eyes, improper discussions and behavior. Cease all alcohol service to the guest.

Q. Must a guest also order food with an alcoholic beverage?

A. Yes, a guest must order food after they have been served two alcohol beverages. The Town of Arlington requires service of food after two drinks. No guest may order a third drink unless they have ordered food.

**Tastings & Trainings:**

TWYRL'S goal is to maintain a suitable and fair working environment that allows for appropriate tasting and training with alcoholic beverages while protecting the safety, integrity and reputation of our team, our guests and our business.

The following is a list of tasting protocol to be followed inside the restaurant for any tastings or trainings that include alcoholic beverages of any kind.

1. Any and all alcoholic beverage tastings & trainings (beer & wine) must take place at pre-shift meetings or designated training sessions with a manager present, and the entire team invited to attend.
2. Trainings must be structured and learning outcomes achieved with the entire team, documented in daily logs/handovers.
3. Appropriate tasting size pours must be observed, not to exceed 3 ounces for malt and 2.5 ounces for wines.
4. Any inventory received and used for tastings or training must be entered in POS for tracking purposes.
5. Only employees / team members who are over the age of 21 can participate in tasting and training with alcoholic beverages.
6. Any wine left by a guest in an open bottle during service that the guest does not wish to take home should be sealed, labeled and used for tasting the following day prior to service or discarded.

## SIDEWALK CAFÉ APPLICATION REPORT

Type of License: Sidewalk Café Permit

Name of Applicant: Twyrl - Christopher Furlong and Anka Bric/Co-Owners

Address: 315 Broadway

The following Departments have no objections but have made comments or conditions regarding the issuance of said license: (see attached)

- Board of Health   x
- Building   x
- Planning   x
- ADA Compliance   x

### PLEASE NOTE:

ALL APPROVALS WILL BE SUBJECT TO CONDITIONS SET FORTH  
(SUCH AS DEPARTMENT CONDITIONS, CERTIFICATE OF INSURANCE ETC.)



**Town of Arlington**  
**Department of Health and Human Services**  
**Office of the Board of Health**

27 Maple Street  
Arlington, MA 02476

Tel: (781) 316-3170  
Fax: (781) 316-3175

**MEMO**

**To:** Board of Selectmen  
**From:** Natasha Waden, Health Compliance Officer  
**Date:** April 13, 2017  
**RE:** Board of Health Comments for Selectmen's Meeting on Monday April 24, 2017

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Please accept the following as comments from the Office of the Board of Health:

**Twyrl - 315 Broadway**  
**Common Viticullar License**

- The applicant has not submitted a plan review application or the necessary documents for review to the Office of the Board of Health.
- A Food Permit will not be issued until a completed plan review application with all documents have been submitted, plans have been approved, and a final inspection of the Establishment has been conducted by this Office.

**Outdoor Furniture**

- The applicant must ensure that smoking and the use of e-cigarettes is prohibited in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or thereby using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of (a) \$100 for the first violation, (b) \$200 for a second violation occurring within two years of the date of the first offense; and (c) \$300 for a third or subsequent violation occurring within two years of the second violation. Each calendar day on which a violation occurs shall be considered a separate offense.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

**From:** "Ken McConnell" <KMcConnell@town.arlington.ma.us> *Building Dept*  
**To:** "MaryAnn Sullivan" <MSullivan@town.arlington.ma.us>  
**Date:** 04/05/2017 08:30 AM  
**Subject:** twryl

---

Maryann, Twyrl will have to go by the same rules as Madonna Tree. The outdoor seats will have to come from the interior count ,they are only allowed nineteen total. Ken

**Attachments:**

File: [ATT00002.txt](#) Size: 0k Content Type: text/plain  
File: [ATT00003.html](#) (Shown Inline) Size: 0k Content Type: text/html

**BOARD OF SELECTMEN**  
**RENEWAL - INSPECTION REPORT**

**REPORT IS REQUIRED FROM EACH DEPARTMENT BY 4/19/17**

Location: 315 Broadway  
Applicant's Name: Christopher Furlong  
D/B/A: Twyrl  
Telephone: 617-699-4006  
Department: Sent Interoffice Mail & E-mail Date: 3-27-17

---

**MEETING DATE: 4/24/17**

Departments:

**Re: Sidewalk Café Permit**

Police

Fire

Board of Health

Building

Planning – Ali Carter, Economic Development Coordinator

Comments by each Division or Department:

The proposed outdoor seating for this business will include four tables and provide an acceptable eight-foot travel corridor on the sidewalk. The applicant should ensure that the proposed furniture be kept close to the planter in Broadway Plaza to maintain that eight-foot corridor, which allows adequate space for foot traffic and ADA compliance.

The Department of Planning and Community Development has no objection to the issuance of a sidewalk café permit to the Applicant.

Any changes in signage, including signs in the window, and changes to the facade of the building are subject to review by this department. The applicant is reminded that all signs, including re-lettering of the existing signs require a permit issued by the Building Department. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

---

**Applicant Section:**

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name:

Date: 4-21-17



MEMO TO: Board of Selectmen  
Adam Chadelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs *JJ*

DATE: April 18, 2017

RE: Twyrl Sidewalk Cafe' Permit

It appears from the attached diagram and a completed survey of the sidewalk in front of **Twyrl, 315 Broadway** that all conditions pertaining to accessibility of sidewalk dining are in compliance with ADA Architectural Access Guidelines and Massachusetts Architectural Access Board regulations.

In order to be in compliance with regards to sidewalk dining the absolute minimum clear path of travel along the sidewalk must be at least 36" excluding curb stones with at least 36" between tables according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Access Guidelines. The Arlington Commission on Disability does have a preference for a 48" clear path of travel. Possible obstructions on the sidewalk that could affect compliance after permitting that will need to be watched are location of tables, chairs, other furniture, trees, trash receptacles, fire hydrants, planters, sandwich boards, etc. In addition a portion (5%), but not less than one, of available seating must be wheelchair accessible. The Disability Commission recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to restaurants providing training for all their restaurant staff to ensure that accessibility is maintained after the permitting process.

## Sidewalk Café Permit Application - Town of Arlington, MA

This is an application to the Board of Selectmen of the Town of Arlington Massachusetts, for a permit to place and maintain a Sidewalk Café (an outside seating area for licensed restaurants) on the public right of way in Arlington, Massachusetts described below:

**(PLEASE TYPE OR PRINT)**

Business Name:

Shockwave, LLC

Length of Storefront (ft):

13 Ft.

Business Address/Location:

315 Broadway

Width of Sidewalk along Storefront (ft); \*1:

8 Ft.

Phone Number/Email:

617-699-4006

Length of Proposed Sidewalk Café (ft):

\* Approximately 15 Ft.

Business Representative's Name:

Christopher Furlong

Width of Proposed Sidewalk Café (ft); \*2:

\* Approximately 18 Ft.

Name & Address of Building Owner:

Triton Realty, P.O. Box 17004, Boston, MA 02117

\* Includes 12 Ft. wide planter

*\*1: Measure from front Building Wall to inside of sidewalk granite curb edge.*

*\*2: Measure from front Building Wall to outside of Sidewalk Café surrounding border fencing/barrier.*

Application Submittal Requirements:

- 1.) Fee: An annual permit fee of **\$50.00** payable to the Town of Arlington filed with the Selectmen's Office. The Board may prorate its fee for applicants in their initial term to reflect the number of months the permit sought will be held.
  
- 2.) Site Plan: Furnish a **Site Plan** (scale diagram) showing the location of tables, chairs, umbrellas, trash receptacles, heaters, barricades, as well as a **picture or photograph of the proposed furniture** in compliance with the following requirements:
  - No person or entity shall cause to be placed within the public ways any furniture without applying for a permit and receiving approval from the Board of Selectmen of the Town. This permit shall be considered separate and distinct from others issued by the Town, including those for common victuallers.
  
  - Ordinarily, the location of the sidewalk café must be directly in front of the business operating the café, and may not extend beyond the side property lines. It shall be sited as close to the building façade as practicable and in no event to exceed twelve (12) feet from the food service door of the establishment.
    - Under limited circumstances, sidewalk café areas may be approved adjacent to a storefront, grouped at a distance from the storefronts, or allowed in both positions if a scaled plan showing dimensions clearly establishes:

- a) The requested location(s) create the least obstruction for pedestrian access to storefronts, crosswalks and pedestrian circulation, and/or
- b) the location does not extend substantially beyond the side edges of the business (allowing for up to 10 feet of latitude where landscaping, public facilities, utility poles or adjacent seating areas obstruct the front of the business premises), and/or
- c) no more than 256 square feet of the public way would be cordoned off for establishments serving liquor unless the Board determines from the scaled site plan (with dimensions shown) and photos that additional square footage for outdoor seating would not leave less than 36" to the nearest barrier, would not impede circulation, and would not preclude other allowed desirable uses for the public space, and
- d) in every case, the additional seating does not violate zoning, building, or other code as determined by the Director of Inspectional Services.

- Further, Tables, chairs, benches, food equipment shall be located so that they do not impede, endanger or interfere with pedestrian traffic, with a minimum width of three (3) feet and a recommended width of four (4) feet of unobstructed passage for pedestrian traffic.
- In addition, no sidewalk café furniture shall be affixed, erected, installed, placed, used or maintained **within five (5) feet** of any marked or unmarked crosswalk or handicapped ramp; or within five (5) feet of any fire hydrant, fire lane, call box, or bus stop.
- Unlicensed furniture within the public ways of the Town will be subject to removal with the cost thereof to be borne entirely by the owner. In addition, fines may be imposed by the Board of Selectmen not to exceed \$100 for removal, storage or destruction.
- No fixtures or devices on which food or beverages are sold or consumed shall be attached to the sidewalk or other public area. The property owner is responsible for the restoration of the sidewalk or public-right-of-way if any damage is caused by the sidewalk café. Physical barriers bordering/framing a sidewalk café may not exceed four (4) feet in height.
- Lighting for sidewalk cafes is subject to approval during the permitting process. Tabletop lighting may include candles and battery-operated fixtures.
- Well-designed physical barricades surrounding/framing sidewalk cafés are **strongly encouraged**.

3.) **Insurance:** The applicant restaurant-owner shall furnish a **certificate of insurance** providing commercial insurance coverage for bodily injury, death, disability, and property damage liability in the following amounts:

- **At least \$1,000,000 per occurrence and \$3,000,000 annual aggregate for any restaurant serving alcohol as part of its use of sidewalk café space; or**

- At least \$300,000 per occurrence and \$900,000 annual aggregate for restaurants which are either not licensed to serve alcohol or restaurants which attest that they will not serve alcohol as part of their use of sidewalk café space.

The Town of Arlington shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of a sidewalk café. In the event the insurance is cancelled, the permit holder has 24 hours to reinstate the insurance or the permit shall be revoked. The permit holder shall immediately inform the Selectmen's Office if insurance under this provision is revoked and shall not operate the sidewalk café until insurance is restated in accordance with this requirement. An insurance certificate naming the Town as an additional insured must be provided to the Office of the Board of Selectmen before any Sidewalk Café/Outdoor Seating Area will be issued.

4.) Indemnification and Acknowledgement of Rights: The applicant restaurant-owner shall also furnish a signed agreement to indemnify the Town of Arlington for its use of public property as a sidewalk café/outdoor seating from any and all claims that may be brought against the Town in connection with such use. Such a signed agreement shall also acknowledge the Town's rights with respect to its property and the limitations of the permit (attached hereto).

5.) Compliance Requirements: By signing this application, the Applicant agrees to accept and comply with the following requirements:

- All services provided to sidewalk café customer and customer activity must occur within the designated sidewalk café area.
- Permit holder is responsible for proper supervision of the sidewalk café in order to ensure the requirements of this section are met.
- Permit holders must ensure that the requirements for operation are met. These include:
  - Patrons must wear shoes and shirts at all times.
  - All sidewalk cafes must maintain at least one opening for ingress and egress at all times. All sidewalk cafes shall abide by all requirements of the currently adopted International Building Code and the American's with Disabilities Act.
  - To the extent applicable, sidewalk cafes must adhere to all regulations pertaining to food and beverage enforced by the Board of Health and Board of Selectmen.
  - All areas within and surrounding a sidewalk café must be maintained in a clean, neat, and sanitary condition.
  - All permit holders shall be required to abide by all federal, state, and local laws.
  - Outdoor alcohol service (and food service when alcohol is served outdoors) shall conclude at or before 10:00 p.m. Sunday through Thursday, and at or before 11:00 p.m. Friday and Saturday.

6.) Other Regulations: By receiving a sidewalk café/outdoor seating permit, restaurants are not exempted from other federal, state, and local laws and regulations. Among other regulations, permit holders must comply with local zoning and state building code requirements and Board of Selectmen alcohol service regulations. Applicants are strongly advised to ensure their plans comply with zoning and state building requirements by contacting Inspectional Services.

7.) Revocation: The sidewalk café permit may be revoked for failure to maintain the standards required for the initial permit. A notice of intent to revoke a sidewalk café permit shall be given in writing 10-days prior to actual revocation and shall specify the area or areas of failure to meet requirements and maintain conditions the Town may have imposed. If, during that period, proof of compliance is made to the satisfaction of designated Town Inspectors by the holder of the permit, the permit shall be continued in force.

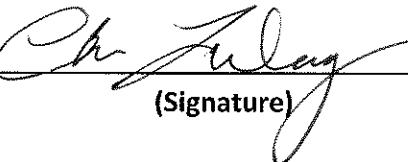
- Applicant certifies that all current property taxes due on its licensed premises are paid if property is owned by the Applicant.
- Applicant agrees to permit the Town to periodically verify the accuracy of information contained in this Application and agrees to provide information requested to verify the accuracy of the information and the Certifications contained in this Application.

8.) Term & Non-Transferability: Each Sidewalk Café Permit is valid for one calendar year from the January 1<sup>st</sup> through December 31st and is non-transferable.

I have read and fully understand the above rules and regulations applying to the approval of this permit.

Dated March 17, 2017

By: \_\_\_\_\_

  
(Signature)

(Print Name & Address) \_\_\_\_\_

Christopher Furlong

31 Franklin Road

Winchester, MA 01890

#### NOTE:

No sales or consumption of any alcoholic beverages can be allowed by the license holder in the patio area unless and until the changes to their location are approved by both the LLA, the ABCC and a new amended license (with the approved changes added to the description of premises) is issued.

Go to: [www.mass.gov/abcc](http://www.mass.gov/abcc) website for the ABCC application - Alteration of Premises and return with this application.

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON

**SIDEWALK CAFÉ INDEMNIFICATION AGREEMENT & ACKNOWLEDGEMENT**

On behalf of the business applying for a Sidewalk Café (Outdoor Seating) license from the Town of Arlington Board of Selectmen, I, as a duly authorized agent of Shockwave, LLC, a licensed restaurant operating within the Town of Arlington, acknowledge that I seek permission to use a portion of the public sidewalk in front of (or where permitted, adjacent to) the business premises to operate a sidewalk café/outdoor seating area. I understand that a Sidewalk Café permit does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

Furthermore, I, as a duly authorized agent of Shockwave, LLC, agree to hold harmless the Town of Arlington, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

I understand that Board of Selectmen and/or any government agency with jurisdiction may revoke my permit to use public sidewalk space at any time for any reason whatsoever. The permit can be revoked for failure to comply with any terms and conditions of the permit or any agreements between my business and the Town of Arlington or for violation of any of the rules and regulations enforced by Board of Selectmen, the Department of Inspectional Services, the Police Department, or the Board of Health. I understand there will be no refund of any fees or compensation paid to the Town of Arlington.

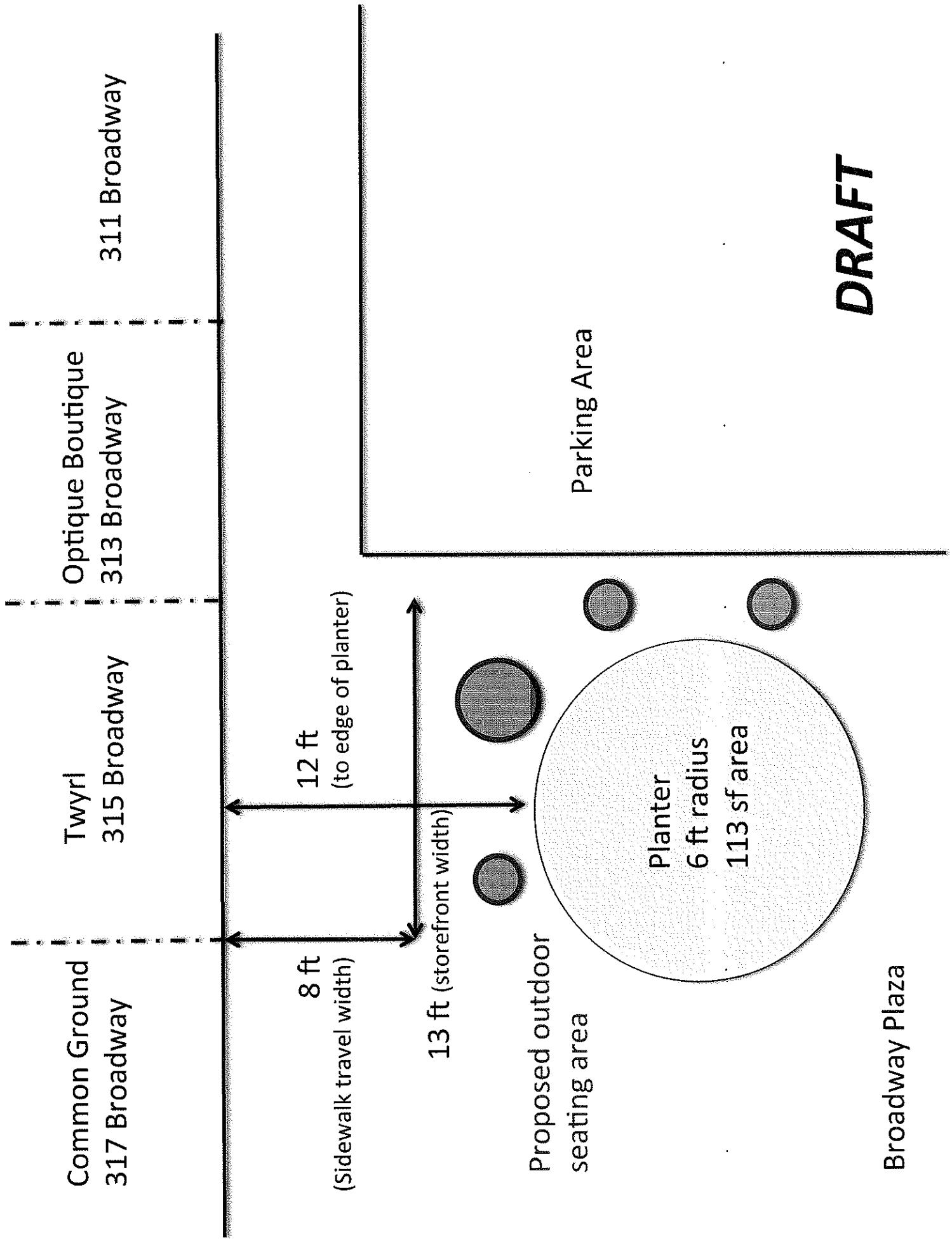
I further agree to promptly remove any property placed on the sidewalk space or reimburse the Town of Arlington for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

I certify that I have read and agree with the terms and conditions outlined both here and within the Sidewalk Café Permit Application.

Signature Christopher Furlong

March 17, 2017

Date



Broadway Plaza





## Town of Arlington, Massachusetts

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### **Request: 2nd Space, Handicap Parking Sign @ 107 Varnum Street**

#### **Summary:**

Vincent Bozzi Jr.

#### **ATTACHMENTS:**

Type	File Name	Description
<input type="checkbox"/>	Reference Material 107_Varnum_HP_Request__Police_.pdf	Police Recommendations
<input type="checkbox"/>	Reference Material Bozzi_Handicap_Parking_application.pdf	Handicap Parking Sign Application, Bozzi

# ARLINGTON POLICE DEPARTMENT

**CHIEF OF POLICE**  
Frederick Ryan



POLICE HEADQUARTERS  
112 Mystic Street  
Telephone 781-316-3900  
Facsimile 781-316-3919

*Town of Arlington*  
MASSACHUSETTS 02474

## MEMORANDUM

TO: Marie A. Krepelka  
Board Administrator

FROM: Lt. Paul Conroy  
OIC/Traffic, Details and Licensing

DATE: April 19, 2017

RE: 2nd Space, Handicap Parking Sign @ 105-107 Varnum Street

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The Traffic and Parking Unit has reviewed the petition by Mr. Vincent Bozzi, Jr. for a 2nd Handicap Parking Space at 105-107 Varnum Street. **We do not support granting a 2nd space for the following reasons:**

1. Handicap parking spaces, when approved, are supposed to be located directly in front of the residence making the request. There is approximately 34 feet of available parking space abutting the front of their residence before coming within 3 feet of the neighboring property's driveway. Our normal standard for determining a parking space is 20 feet. Even if one were to go to the minimum suggested parking space length of 18 feet, this area would still be short of accommodating two average sized vehicles.
2. Properly granting sufficient space would mean locating it in front of a neighboring property, which is against past practices and would deprive that party of ever parking in front of their residence unless they had a placard as well.
3. According to RMV records, there is currently only one actively registered vehicle at 105-107 Varnum Street.

Please feel free to contact me if you have any other questions.

Cc: Frederick Ryan, Police Chief  
Capt. Julie Flaherty, Support Services Commander  
Deputy Chief John, Kelly, Arlington Fire Operations  
Adam Chapdelaine, Town Manager

**PC:cpr**

*"Proactive and Proud"*

RECEIVED  
SELECTMEN'S OFFICE  
ARLINGTON, MA 02476

2017 MAR 27 PM 1:15

**TOWN OF ARLINGTON**  
**Residential Handicap Parking Sign Application**

Name: VINCENT Bozzi JR.

Address: 107 VARNUM ST

Telephone: Home: 781-316-8115 Work: Retired

Date: 3/22/17

Please read the Board of Selectmen Residential Handicap Parking Sign Policy prior to completing this application. If you have any questions regarding the application process, please contact the Office of the Board of Selectmen.

1. Please attach a photocopy of your handicap placard, or documentation that you have a handicap plate. It is not necessary to attach any additional documentation.
  
2. Are you the owner of your residence? NO Mother in Law
  
3. Do you have off-street parking? YES
  
4. If yes, how many off-street spaces? 3 Three

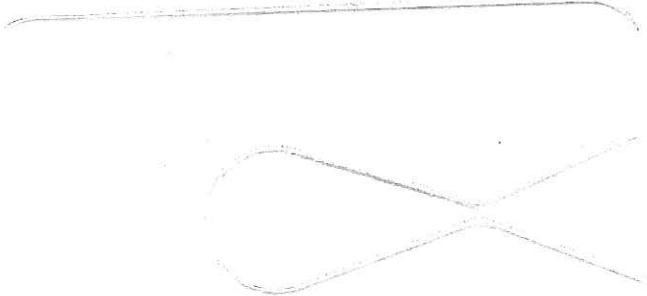
On the reverse side of this page, please provide the general reasons why the granting of such a space will increase your ability to access/egress your home. When providing your reasoning, you should address those questions listed in the Off-Street Parking section of the Board's policy, found on page two, that are relevant to your application.

When you have completed this application, and attached a photocopy of your placard, or documentation of your plate, please forward your application to the Office of the Board of Selectmen. Within two weeks you will be contacted regarding your application.

MY WIFE IS ALSO HANDICAPPED THERE  
IS A SIGN IN FRONT NOW, BUT CARS  
SQUEEZE IN TO PARK AND GO TO  
T STATION IN CAMB. I NEED TO  
PUT WIFES CAR IN STREET SO SHE  
CAN ENTER AND EXIT WITH DOOR  
WIDE OPEN, SAME WITH ME. SHE'S  
RETIRED FROM CAMB COURT HOUSE  
TRAFFIC SUPERVISOR, FOR OVER 35 YRS.  
I NEED SURGERY ON LEFT LEG WHICH  
WILL PUT ME ON CRUTCHES OR CAN  
FOR REST OF MY LIFE, ONLY 65 YRS.  
OLD. HAVE A PLACID SENDING YOU  
A PICTURE

THANK-YOU GUYS FOR  
YOUR TIME AND CONSIDERATION

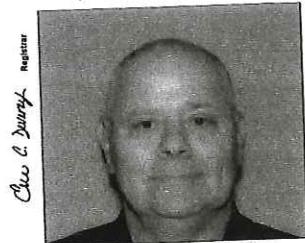
VINNY BOZZI X TOWN EMPLOYEE  
FOR 15 YEARS WATER DEPT A 60 YEAR  
RESIDENT OF ARL MY WIFE A 64  
YEAR RESIDENT



**P93552742**

**Expires:**

**03-16-21**



BOZZI

VINCENT

JR

**Commonwealth of  
Massachusetts**



## OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO, JR., CHAIR  
STEVEN M. BYRNE, VICE CHAIR  
KEVIN F. GREELEY  
DIANE M. MAHON  
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE  
TELEPHONE  
781-316-3020  
781-316-3029 FAX

### TOWN OF ARLINGTON MASSACHUSETTS 02476-4908

April 13, 2017

Vincent Bozzi Jr.  
107 Varnum Street  
Arlington, MA 02474

Dear Mr. Bozzi:

The Board of Selectmen will be discussing your request for a second residential handicap parking space at their meeting on Monday, April 24<sup>th</sup> in the Selectmen's Chambers, Town Hall, 2<sup>nd</sup> Floor. The meeting begins at 7:00 p.m. You or your representative is invited to be in attendance at this meeting.

Kindly call the office of the Board of Selectmen to confirm the date and time with either Mary Ann or Fran.

Thank you.

Very truly yours,  
BOARD OF SELECTMEN

*Marie A. Krepelka*

Marie A. Krepelka  
Board Administrator

MAK:fr



## Town of Arlington, Massachusetts

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### Request for Approval: Public Art Display on Minuteman Bikeway

**Summary:**

Cecily Miller & Adria Arch

**ATTACHMENTS:**

Type	File Name	Description
<input checked="" type="checkbox"/>	Reference Material acac_apa_bikeway_proposal_4_21_17.pdf	Reference

# PROPOSAL: ART ON THE MINUTEMAN BIKEWAY

A Partnership Project of the Arlington Commission on the Arts and Culture and Arlington Public Art

We propose to site 4 temporary “pop-up” art pieces on the Bikeway in the spring and summer of 2017 and one larger scale-temporary public art commission in the Fall, 2017. Our purpose is two-fold: to contribute to the Bikeway’s 25th Anniversary celebration and to enhance the connection between Arlington Center and Capitol Square/East Arlington. These two neighborhoods are included in our pending application to create Arlington’s first Cultural District.

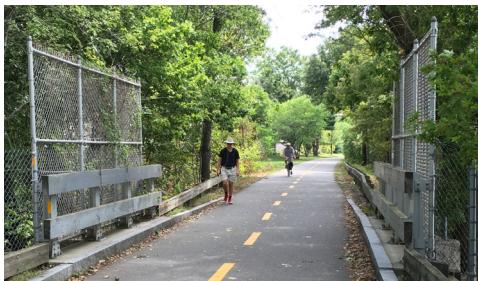


## Pop Up Projects

Funded with a grant from the Arlington Cultural Council

### Flutter

We are excited to bring Flutter to Arlington, a work created by Claudia Ravischiere and Michael Moss and originally installed in Fort Point, Boston. Flutter consists of 60+ silhouetted plexi butterflies, in translucent blue color, which would be mounted in a graceful formation on the chain link bordering the bike path above an underpass for car traffic. In this location, Flutter connects with the natural beauty of the site; a view of Spy Pond will be framed by the plexi forms. It alludes to movement, travel, and migration, reflecting the role of the path as a transportation corridor that traverses three towns.



### The Rhetoric of Opposites

Arlington resident Nilou Moochhala proposes to create a text-based piece to highlight the divisive language that dominates many current national political debates. Moochhala is inspired by the Bikeway’s location, which spans some of the same terrain traversed by William Dawes on his historic ride during the American War of Independence. The installation will use the Bikeway’s two lanes of traffic – going in opposite directions – to make a point; pairs of words will be juxtaposed by stencilling them onto the surface of each lane using spray chalk. For example: “Us/Them” and “Fear/Free”.

ARLINGTON  
COMMISSION  
ON ARTS &  
CULTURE

ac  
ac

ARLINGTON  
Public Art

CONTACT: Cecily Miller, Independent Arts Consultant  
[cecily@cecilmiller.com](mailto:cecily@cecilmiller.com) • [www.cecilmiller.com](http://www.cecilmiller.com) 617.331.1715



### City Fox

Arlington's greenspaces provide food and shelter for many small animals: foxes, skunks, raccoons, possums, squirrels and a huge variety of birds. In conjunction with Arlington Public Art's Fox Festival Parade, we will install a fox created by an artist based in London who goes by Stewy. Stewy has been creating images of urban wildlife found in London's streets and backyards and painting them in unexpected places -- where you encounter them as a surprise, just as you would a living creature. Stewy has agreed to send us a stencil printed on paper that we can wheatpaste onto the wall of the pedestrian underpass below the Bikeway.



### Knit-In

Adria Arch will lead a community based project to knit colorful sleeves for a cluster of tree trunks along the bikeway. This project will mobilize Arlington's knitters to create a large scale collaborative work of art designed and directed by Adria. Knit-In has been inspired by similar projects around the globe, and will incorporate messages of environmental stewardship, community cooperation, and festive pageantry for the Bikeway's 25th Anniversary.



## Fall Commission: Frank Vasello

We propose to invite Frank Vasello to create a site specific piece along the Minuteman Bikeway. We have identified two possible sites which have vantage points removed from the Bikeway, to avoid interference with traffic flow:

1. On the side of the staircase that descends from the Bikeway to playground areas along Spy Pond.
2. In the area between the Bikeway and a paved path that forks off to the right, descending to the Boys & Girls Club playing fields.



## Project Description and Community Participation

*“This site-specific installation will work with and respond to the topography of the site. Using gathered natural material from the site I will create a flowing “river” of sticks.*

*At the top of the stairs near the bike path the sticks/twigs will be small and will start like tiny rivulets. As the sculpture progresses down the hill towards Spy Pond the rivulets will begin to merge and the piece will take on a more massive form. Once the sticks reach the bottom of the stairs, they will again visually disperse into small spirals of twigs.” – Frank Vasello*

We would develop opportunities for community participation through workshops, artist talks, and volunteering to assist with gathering wood and constructing the final work.

## Frank Vasello

### Lethe, 2014 – example of past work



*“As an installation artist I seek to create work that interacts and is informed by the locations in which they are created. I enjoy working onsite, with the natural environment helping guide/dictate the final project. While I am primarily drawn to open, organic spaces, all of my work seeks to highlight the interplay between entropy and natural order. I have always worked with my hands and particularly enjoy gathering materials that will harmonize with the spaces in which I work. I see the action of the gathering of materials as a ritual. It can take many days or weeks to find enough material, and the project is a culmination of that ritual.” – Frank Vasello*



## **Town of Arlington, Massachusetts**

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### **Article for Review:**

#### **Summary:**

**Article 16** Bylaw Amendment/Addition of Certain Delinquent Municipal Fees/Fines to be a Lien on Real Estate Tax Account

#### **ATTACHMENTS:**

Type	File Name	Description
<input checked="" type="checkbox"/> Reference Material	Article_16.docx	Article 16 Text

**ARTICLE 16****BYLAW AMENDMENT/ADDITION OF CERTAIN  
DELINQUENT MUNICIPAL FEES/FINES TO BE A  
LIEN ON REAL ESTATE TAX ACCOUNT**

To see if the Town will vote to amend Article 26 of the 2009 Annual Town Meeting, as voted May 6, 2009, and the Article 21 of the Bylaws of the Town in Title I General Government; to include in the placement of a lien or liens onto any real estate tax accounts, any fees, fines, or penalties levied by a Town and/or School department upon a resident property owner and/or non-resident property owner of the Town, where such fee, fine, or penalty is delinquent. Said amended Bylaw is in accordance with Section 58 of Chapter 20 "Municipal Charges Lien" of the Massachusetts General Law; or take any action related thereto.

(Inserted at the request of the Town Treasurer)



## Town of Arlington, Massachusetts

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### Request Two (2) Hour Parking Limit On Broadway from Rte. 16 to Silk Street

**Summary:**

Veronica White, 32 Silk Street

**ATTACHMENTS:**

Type	File Name	Description
<input type="checkbox"/> Reference Material	Call_request_Veronica_White.docx	request

Parking request by phone: Veronica White/resident at 37 Silk Street  
Date: 4.18.17

Requests: 2 hour only parking on Broadway from Rte. 16 to Silk Street on the incoming (to Arlington center) side of the street for purposes of limiting commuter parking for the Clarendon Hill Busway. Ms. White would like to see signage and parking rules similar to the Thorndike Field/Alewife Transit area that allows only 2 hours of parking. It impedes traffic in that area and serves as a free all day parking area for many out of towners. Can signage be installed with a 2 hour limit for daytime?



## Town of Arlington, Massachusetts

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### Request 'No Left Turn' Sign

#### **Summary:**

Dr. Timur Kaya Yontar, Town Meeting Member, Precinct 7, 58 Bates Road

#### **ATTACHMENTS:**

Type	File Name	Description
<input checked="" type="checkbox"/> Reference Material	Yontar_CR.docx	Correspondence from Dr. Yontar

Board of Selectmen  
730 Massachusetts Avenue  
Arlington, MA 02476

Dear Messrs. Byrne, Curro, Dunn, and Greeley, and Ms. Mahon,

I would like to alert you to a potentially dangerous situation that I believe could be mitigated by the installation of a missing sign.

Drivers exiting the Robbins Library parking lot are required to turn right. There is a "No Left Turn" sign present on the near (even-numbered) side of Massachusetts Avenue. However, I believe some drivers overlook this as they pull into the intersection, and then proceed to make a left turn. On the far (odd-numbered) side of Mass. Ave. - i.e., in front of the Domino's Pizza at 671 Mass. Ave. - there is no "No Left Turn" sign present.

On two occasions in the past year I have personally experienced the problem this poses while proceeding west along Mass. Ave. just before the library: drivers have exited the Robbins Library parking lot and recklessly turned left onto Mass. Ave. right in front of me. I hit the brakes, blew my horn, and avoided an accident on both occasions. Nevertheless, I do believe that the installation of a sign on the far side of Mass. Ave. from the library lot would reinforce awareness of the regulation, increase vehicular and pedestrian safety, and improve traffic flow.

I am not asking for a change in the traffic regulations of this intersection, but merely for an additional sign so that drivers may be better informed about what existing regulations are.

Although I sent a letter on this subject to the attention of Mr. Kurt Kelley, Highway Division Supervisor, last year, I have not received any response to date.

Please feel free to contact me at [yontar@post.harvard.edu](mailto:yontar@post.harvard.edu) or at 617-921-9721.

Best regards,

Dr. Timur Kaya Yontar  
Town Meeting Member, Precinct 7



## **Town of Arlington, Massachusetts**

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**Next Scheduled Meeting of BoS May 8, 2017**

**Summary:**

**During Town Meeting which begins April 24, 2017 the Board of Selectmen will be in session from 8:00 p.m. until 11:00 p.m.**